

DOCUMENT RESUME

ED 254 002

EC 171 711

AUTHOR Holland, Richard P.
TITLE Clarification of P.L. 94-142 for the Special Educator.
INSTITUTION LINC Resources, Inc., Columbus, Ohio.; Research for Better Schools, Inc., Philadelphia, Pa.
SPONS AGENCY Bureau of Education for the Handicapped (DHEW/OE), Washington, D.C.
PUB DATE Jul 80
NOTE 89p.; For related documents, see EC 171 359 and EC 171 712-713.
PUB TYPE Guides - Classroom Use - Guides (For Teachers) (052)
-- Legal/Legislative/Regulatory Materials (090)
EDRS PRICE MF01/PC04 Plus Postage.
DESCRIPTORS *Compliance (Legal); *Disabilities; Elementary Secondary Education; *Federal Legislation; *Special Education Teachers; *Teacher Role
IDENTIFIERS *Education for All Handicapped Children Act

ABSTRACT

The guide is intended to help clarify P.L. 94-142, The Education for All Handicapped Children Act, and its implementing regulations for special educators. Information is organized in three major sections: (1) background and purpose of the law and regulations (including reviews of such major provisions as free appropriate public education, least restrictive environment, procedural safeguards, and individualized education programs (IEPs)) (2) effects of the law on special educators (answers to commonly asked questions on such topics as IEP development, parent-teacher cooperation, referrals, and inservice); and (3) activities to help special educators prepare to implement the law (learning about sources of help and information, developing consultant skills, becoming familiar with job opportunities for handicapped students and facilitating appropriate vocational/career education, and working successfully with parents). Appended information includes highlights of P.L. 94-142 regulations. (CL)

* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *

ED254002

U.S. DEPARTMENT OF EDUCATION
NATIONAL INSTITUTE OF EDUCATION
EDUCATIONAL RESOURCES INFORMATION
CENTER (ERIC)

- ☒ This document has been reproduced as received from the person or organization originating it.
☐ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official NIE position or policy.

CLARIFICATION OF P.L. 94-142

for the

SPECIAL EDUCATOR

Research for Better Schools, Inc.
444 North Third Street
Philadelphia, Pennsylvania 19123

"PERMISSION TO REPRODUCE THIS
MATERIAL HAS BEEN GRANTED BY

Marian L. Chapman

2

TO THE EDUCATIONAL RESOURCES
INFORMATION CENTER (ERIC)."

EC171711

Author and Project Director: Richard P. Holland

BEST COPY AVAILABLE

Contributors: Kathleen C. Harris
Pamela Clark Rosen
Carol Cohen Schwartz

Editor: Joan D. Wallace

Project Consultant: Joanne B. Stolte

Cover Design and Layout: Judith K. M. Barbour

Review Panel: Connie I. Allen
Supervisor, Exceptional Children Programs
Delaware Department of Public Instruction

Anthony P. Caetano
Manager, Project Teams
National Association of Elementary School
Principals
American Association of School Administrators

Dennis E. Haggerty, Esq.
Briscoe and Haggerty, Inc.
Senior Vice President, Pennsylvania
Association for Retarded Citizens

Raleigh J. Huizinga
Executive Director,
The Groves Learning Center
Legislative Chairperson for National
Association of Private Schools for
Exceptional Children

Marilyn Rauth
Director, Educational Issues
American Federation of Teachers

Win Tillery
Director, Special Education
School District of Philadelphia

Developed and published by Research for Better Schools, Inc., a private nonprofit corporation.

Copyright © by LINC Services, Inc. is claimed until 1987. Thereafter, all portions of this work will be in the public domain.

All rights reserved. No part of this work may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying and recording, or by any information storage or retrieval system, without permission in writing. For permissions and other rights under this copyright, please contact LINC Services, Inc., 829 Eastwind Drive, Westerville, Ohio 43081.

This work was developed under a grant with the U.S. Office of Education, Department of Health, Education, and Welfare. However, the content does not necessarily reflect the position or policy of that agency, and no official endorsement of these materials should be inferred.

July 1980

1

This guide is intended to help clarify P.L. 94-142 and its implementing Regulations for special educators. The purposes of this guide are to:

- outline and summarize the provisions of P.L. 94-142 that are of most concern to special educators;
- address some of the questions regarding P.L. 94-142 that have been asked by special educators;
- increase sensitivity to the needs of handicapped students;
- enable a team approach to the development of Individualized Education Programs (IEPs);
- help special educators see handicapped students as having personal needs and aspirations similar to those of nonhandicapped persons; and
- provide sources of further information on P.L. 94-142 as it relates to special educators, service delivery, in-service training, "mainstreaming," and parent/special educator relations.

PREFACE

PREFACE

GUIDE TO CONTENTS

INTRODUCTION	1
SECTION ONE: WHAT IS PUBLIC LAW (P.L.) 94-142? WHAT ARE THE REGULATIONS FOR ITS IMPLEMENTATION?	3
Public Law 94-142: Its Background and Purpose	
The Regulations for Implementing P.L. 94-142: Major Provisions	
Free Appropriate Public Education	
Least Restrictive Environment	
Evaluation/Placement	
Individualized Education Program (IEP)	
Personnel Development	
Procedural Safeguards (Due Process)	
Funding	
Other Topics Covered by the Regulations	
Future of Special Education	
Sources for Obtaining a Copy of P.L. 94-142 and Its Regulations	
SECTION TWO: HOW DOES P.L. 94-142 AFFECT THE SPECIAL EDUCATOR?	9
SECTION THREE: WHAT ACTIVITIES WOULD HELP THE SPECIAL EDUCATOR PREPARE TO IMPLEMENT P.L. 94-142?	19
How can I learn about the various sources of help/information available for special educators?	
How can I develop the necessary consultant skills to help me in my increasing professional involvement with regular education teachers?	
How can I become familiar with job opportunities for handicapped students as well as facilitate appropriate vocational/career education?	
How can I work successfully with parents?	
APPENDIX A: HIGHLIGHTS OF REGULATIONS IMPLEMENTING P.L. 94-142	41
APPENDIX B: SELECTED ANNOTATED REFERENCES PERTINENT TO SPECIAL EDUCATORS AND P.L. 94-142	67
INDEX	83

The legislative history outlined below regarding education for handicapped persons is intended to give the special educator a historical perspective for P.L. 94-142:

- P.L. 19-8 (1823) provided a federal land grant to an "asylum" for the deaf in Kentucky;
- P.L. 45-186 (1879) authorized \$10,000 to the American Printing House for the Blind to produce braille materials;
- P.L. 66-236 (1920) extended vocational rehabilitation benefits from World War I veterans to civilians;
- P.L. 80-617 (1948) amended the Civil Service Act to remove discrimination in hiring the physically handicapped;
- P.L. 83-531, the Cooperative Research Act of 1954, provided an initial \$675,000 for education research for mentally retarded children;
- P.L. 88-164, the Mental Retardation Facilities and Mental Health Construction Centers Act of 1963, amended earlier legislation to include funding for the training of personnel working with all disabilities;
- P.L. 89-313 (1965) provided support for handicapped children in state-administered programs, hospitals, and institutions;
- P.L. 90-480 (1968) called for the elimination of architectural barriers to the physically handicapped;
- P.L. 90-538, the Handicapped Children's Early Assistance Act of 1968, established experimental demonstration centers for the handicapped;
- P.L. 91-230, the Education of the Handicapped Act, was written and incorporated into the Elementary and Secondary Education Act of 1965;
- P.L. 92-424, the Economic Opportunity Act Amendments of 1972, mandated that 10% of the enrollment opportunities in Head Start programs be set aside for handicapped children; and

- P.L. 93-380, the Education Amendments of 1974, guaranteed due-process procedures in placement, assessment, and testing of handicapped children.

In 1971, P.L. 91-230 repealed Title VI of the Elementary and Secondary Education Act, replacing it with the the Education of the Handicapped Act. P.L. 94-142 is an amendment to Part B of that law, which authorizes grants to the states to assist in initiating, expanding and improving programs for the education of handicapped children.

The Mathias Amendment of 1974 authorized \$660 million to be made available to the states under Part B to initiate, expand and improve special education programs. In addition, along with amendments offered by Senator Stafford, it established certain due-process procedures, assurances of confidentiality, and a timetable for full service delivery.

The Education for All Handicapped Children Act was introduced by Senator Harrison Williams into the 93rd Congress on January 4, 1973, as S.6, and reintroduced in the 94th Congress by Senators Williams, Randolph, and others on January 15, 1975. It was intended to amend Part B and to ensure the expansion of the provisions of both P.L. 91-230 and P.L. 93-380. On June 18, 1975, S.6 passed the Senate; on July 21, 1975, its companion measure, HR. 7217, passed the House, under the leadership of Representatives Brademas and Quie. These measures received overwhelming majorities in both houses (Senate 87-7, House 407-7). The Senate/House conference reported out the Education for All Handicapped Children Act on November 14, 1975. On November 29, 1975, President Ford signed the bill into law as P.L. 94-142, but not without serious misgivings. Although the President's main objections were budgetary, he criticized the detail and complexity of administrative requirements that would unnecessarily assert federal control over traditional state and local government functions.

INTRODUCTION

Anticipating difficulties and the need for extensive planning, Congress mandated that full service delivery to children ages 3 through 18 would not take effect until 1978; the date for children ages 3 through 21 was set for 1980. This schedule was to allow states time to gear up for compliance—to establish and to adjust existing state-level mandates to the provisions of P.L. 94-142.

In addition, a further step was required. The Regulations governing the implementation of the Law had to be issued by the responsible executive agency, the Bureau of Education for the Handicapped (BEH). To carry out its responsibilities under P.L. 94-142, BEH undertook a variety of public-information activities designed to achieve three purposes:

- to assist state and local education agencies toward compliance by disseminating information about the law;
- to provide an opportunity for individuals and groups to voice their concerns about implementation at state and local levels; and
- to write regulations that would be reasonable, adequate, and consistent with the intent of P.L. 94-142 and with existing state laws.

From March through August 1976, BEH conducted or participated in approximately 20 public meetings about P.L. 94-142 structured on both a geographic and special-interest basis. Approximately 2,200 persons attended. A series of public meetings were held for college and university personnel whose institutions receive training grants in special education. BEH staff made presentations at a number of national conferences conducted by professional associations, such as the Council for Exceptional Children (CEC) and the American Psychological Association. In early June 1976, a national advisory group of approximately 170 persons, comprised of parents, advocates, handicapped persons, representatives of teacher organizations, administrators of state and local programs, and other professionals, was convened to write concept papers on major topics in the law. These papers served as a basis for the draft Regulations, issued December 30, 1976. The final Regulations regarding the implementation of P.L. 94-142 were developed in light of the comments received at public regional hearings held throughout the country. The Regulations were promulgated Tuesday, August 23, 1977.

P.L. 94-142: Its Background and Purpose

P.L. 94-142 is a federal law passed by the 94th Congress as its 142nd piece of legislation. Signed into law on November 29, 1975, it is also known as the Education for All Handicapped Children Act of 1975. It amends the Education for the Handicapped Act, Part B, a section regarding state grants in the education of the handicapped. Essentially, P.L. 94-142 is a funding bill designed to assist the states; as such, it may be implemented differently in each state, but always in accordance with the respective state plan. The Law was based on a number of Congressional findings or understandings as of 1975:

- There were more than 8 million handicapped children in the United States;
- The special educational needs of many of these children were not being fully met;
- More than half the handicapped children in the United States did not receive appropriate educational services;
- One million of the handicapped children in the United States were excluded entirely or in part from the public school system and did not go through the education process with nonhandicapped classmates;
- There were many children with undetected handicaps participating in regular school programs;
- Because of inadequate services within the public school system, families were often forced to find services outside the system, often far from their homes and at their own expense;
- Developments in the training of teachers and in diagnostic and instructional procedures have advanced to the point that, given appropriate funding, state education agencies (SEAs) and local education agencies (LEAs) can and will provide effective special education;
- SEAs and LEAs have a responsibility to provide education for all handicapped

children, but financial resources were inadequate; and

- It is in the national interest that the federal government assist state and local efforts to provide programs to meet the education needs of handicapped children in order to assure equal protection under law.

P.L. 94-142 addresses itself specifically to these concerns and defines handicapped children as those who are mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, orthopedically impaired, other health impaired, deaf-blind, multihandicapped; or who have specific learning disabilities. The purposes of P.L. 94-142 are:

- to ensure that all handicapped children have available to them Free Appropriate Public Education,
- to ensure that the rights of handicapped children and their parents are protected,
- to provide financial assistance to states and localities for the education of all handicapped children, and
- to assess and ensure the effectiveness of efforts to educate handicapped children.

In September 1973, the Vocational Rehabilitation Act (P.L. 93-112) was signed into law. Section 504 of that law provides that handicapped persons cannot be discriminated against solely on the basis of their handicap. Thus Section 504 became the first federal civil-rights legislation to protect and address the rights of handicapped persons. The language of Section 504 is almost identical to the comparable nondiscrimination provisions of Title VI of the Civil Rights Act of 1964 (applying to racial discrimination) and Title IX of the Education Amendments of 1972 (applying to sex discrimination: "No otherwise qualified handicapped individual... shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.")

SECTION ONE:

WHAT IS P.L. 94-142? WHAT ARE THE REGULATIONS FOR ITS IMPLEMENTATION?



Besides Section 504 of P.L. 93-112, Sections 502 and 503 are of interest to state and LEA personnel. Section 502 mandates the elimination of architectural barriers that make buildings inaccessible to handicapped persons, and creates the Architectural and Transportation Barriers Compliance Board. Section 503 states that any federal contractor (with a contract in excess of \$2,500) must take affirmative action to employ handicapped persons.

However, these laws are by no means a comprehensive magic wand. Even though both are presently being implemented and progress is being made in the schools, many handicapped individuals are still unable to take part in a number of facets of American society—excluded by architectural, zoning, and transportation barriers.

The Regulations for Implementing P.L. 94-142: Major Provisions

Realizing that P.L. 94-142 would have a significant impact on the education of handicapped youth nationwide, the U.S. Office of Education (now the U.S. Education Department) took steps to ensure that the Regulations would be based on public input. After more than a year of extensive public participation, the Regulations were completed and publicized in the *Federal Register*, August 23, 1977, pp. 42464-42518 (45CFR Part 121a). Additional regulations related to the evaluation of learning disabilities were published in the *Federal Register*, December 29, 1977, pp. 65082-65085.

The P.L. 94-142 Regulations specify the methods that SEAs and LEAs (school districts*) must use in implementing P.L. 94-142 if they are to receive federal funds under it. The Regulations encompass all facets of the Law. Although all areas are of some importance to the special educator, seven provisions are most crucial to a special educator's understanding of the Law. These are:

1. Free Appropriate Public Education
2. Least Restrictive Environment
3. Evaluation/Placement
4. Individualized Education Program (IEP)
5. Personnel Development
6. Procedural Safeguards (Due Process)
7. Funding

A summary of each of these provisions and its implications follows:

*Hereafter, the term "school district" will be used interchangeably with "local education agency (LEA)," since they are, in most cases, synonymous.

Free Appropriate Public Education. Simply stated, P.L. 94-142 makes provision for *Free Appropriate Public Education* at all levels of schooling for all handicapped children who are in need of special education and *related services*. The Law specifies a September 1, 1978, deadline for providing this service to handicapped children 3 through 18 years of age, and a September 1, 1980, deadline for handicapped children 3 through 21—provided these stipulations are not "inconsistent" with current state laws or court orders. *Free* is defined as at public expense, under public supervision and direction, and without charge to parents. An *appropriate* program for a given child must meet the requirements of that child's IEP and be carried out in the Least Restrictive Environment (see below).

By *related services* the Law means transportation and those developmental, corrective, and other supportive services required to assist a handicapped child to benefit from special education. These services include, but are not limited to, early identification and assessment of disabilities in children, medical services for diagnostic or evaluation purposes, speech pathology and audiology, occupational therapy, psychological services, physical therapy, recreation, counseling services, school health services, school social work services, and parent counseling and training.

Least Restrictive Environment. The Law states that each handicapped child must be educated with nonhandicapped children to the maximum extent appropriate to that child. This includes the handicapped child's participation in extracurricular activities with nonhandicapped students.

The Law further states that special classes, separate schooling, or the removal of handicapped children from the regular educational environment may occur only when the nature or severity of their handicap is such that education within a regular classroom, "with the use of supplementary aids and services, cannot be achieved satisfactorily." Placement in the school the handicapped child would attend if he/she were not handicapped is preferred. However, consideration must be given to any potential harmful effect of this placement on the child and the quality of services.

Thus the appropriateness of a learning environment for a handicapped child is to be determined by the severity and effects of the handicapping condition as well as by the nature and quality of the learning environment. For example, placement of a hearing-impaired child might depend upon degree of hearing loss; language development (e.g., voca-

bulary, lipreading ability, speech ability, and reading level); factors of personal and social development; and the availability of supplementary media, special teachers, or other supports to deliver the services stipulated in the IEP.

In addition, the school district must ensure a continuum of alternative placements. This continuum includes instruction in regular classes, special classes, special schools, homes, and hospitals and institutions. It also includes supplementary services, such as resource-room or itinerant instruction to supplement regular class placement.

Needless to say, there is some concern about the concept of Least Restrictive Environment and its relationship to appropriateness of an education. Some believe that "mainstream" placements in the regular classroom and school are appropriate for even severely handicapped children; others support special class placement for these students. A clearer definition of "appropriate" will doubtless occur over time.

Evaluation/Placement. Before any evaluation is begun, the parent must be fully informed of what is planned and must give written permission for it.

A full evaluation of the handicapped child's educational needs must be made before the child is placed in a special program. The evaluation must be made in all areas related to the suspected disability, including, where appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities. The evaluation, which must not be racially or culturally discriminatory, provides the basis for determining eligibility of and developing a program for that child.

The evaluation is performed by a multidisciplinary team of professionals designated by the appropriate school district administrator after parental permission has been obtained. Though the examinations and procedures of the assessment are designated and regulated by each state and district, the district is responsible for the following conditions:

- All tests and evaluations must be provided and administered in the native language of the child unless it is clearly not feasible to do so;
- Tests and evaluations must be validated for the specific purpose for which they are used;
- Tests must be administered by a trained professional in conformance with the instructions given by the producer of the test;

- All tests must be selected and administered so as not to be racially or culturally discriminatory;
- No single procedure is to be used as the sole criterion for determining an appropriate education program; and
- For students who may have a specific learning disability, classroom observations must be made.

Once the assessment information has been gathered and analyzed individually by each member of the evaluation team, the child's program placement is determined by the projected needs and required services of the IEP developed by the team (see below).

Individualized Education Program (IEP). The IEP provision directly affects the special educator. It represents the appropriate educational program for each exceptional child. (This program may involve considering an extension of the traditional school year.)

The Law requires specific items to be included in all IEPs. The implementation methods and the detail with which these items are spelled out will vary from state to state; however, the following basic information must be included:

- present educational performance level of the child;
- the annual goals set for the child, including a statement on short-term instructional objectives;
- a statement of the specific special education and related services to be provided to the child and the extent to which the child will be able to participate in a regular educational program;
- the projected initiation date and anticipated duration of special services; and
- an evaluation plan (appropriate objective criteria, evaluation procedures, and schedules for determining, at least on an annual basis, the achievement of short-term instructional objectives.)

The IEP, based on the child's evaluation, must be developed, reviewed, and revised by a team including a representative of the public education agency, such as the principal; the child's teacher; one or both of the parents; the child, where appropriate; and necessary others, where appropriate. If the handicapped child has been evaluated for the first time, the IEP team must also include a member of the evaluation team or some other person, possibly the child's teacher or the principal, who is familiar with the evaluation procedures used and the interpretation of results.

The Law requires the scheduling of meetings at times and places

mutually agreeable to parent and educator. Furthermore, the school district must ensure that parents understand the proceedings of the meeting. (Such arrangements might include the use of an interpreter for deaf or non-English-speaking parents.)

A written notice indicating the attendance, purpose, time, and location of the meeting must be sent to the parents in time for them to attend. If the parents cannot be identified or if the child is a ward of the state, then the school district shall assure the selecting and assigning of a surrogate parent. This surrogate assumes parental responsibility for all matters relating to the identification, evaluation, and educational placement of the child and to the provision of a Free Appropriate Public Education.

October 1, 1977, was the first deadline for the development of IEPs for each handicapped child. The beginning of every school year thereafter marks the due date for their revision; meetings may be scheduled at any time prior to the beginning of the school year (perhaps staggered throughout the year) for children continuing in a special education program. The development of IEPs for students new to the district or newly identified as eligible for special education programs must be completed within 30 days of their enrollment. The Law stipulates that IEPs must be in effect before special education and related services are to be provided.

Personnel development. Each state is required by law to establish procedures for needs assessment, to determine the number of qualified special education personnel available in the state, to provide professional and support personnel with in-service training in special education based on the findings of the needs assessment, and to acquire and disseminate significant information to teachers and administrators of programs for the handicapped. Special educators should be integrally involved in planning local in-service programs.

Procedural safeguards (due process). This provision outlines the procedure to be followed in the event of a school district grievance regarding the appropriateness of a child's education, identifying information, evaluations, or educational placement. The Law provides for an impartial due-process hearing involving the parent and the school district to be conducted by someone not employed by or affiliated with the district. Parents must be notified in writing a reasonable time before

the district either proposes or refuses to effect changes in any of the aforementioned areas. Either party in the hearing has a right to be accompanied and advised by legal counsel and experts/others, present evidence, confront, cross-examine, compel attendance, and prohibit the introduction of any evidence that has not been disclosed at least 5 days before the hearing. In addition, both parties are entitled to a written or recorded verbatim record of the hearing and to written findings of fact and decisions. In some states this impartial hearing is taken directly to the state level; in others, conciliation hearings are encouraged at the district level to deter the expenses of a formal due-process hearing.

A parent or school district dissatisfied with the results of a hearing may appeal to the SEA, which then conducts an impartial review and makes a decision. If this second appeal is not satisfactory to all, any party has the right to bring a civil action in a state or U.S. district court. If a lawsuit is initiated by a parent, it may be brought against the school district and/or the special educator.

Funding. Under P.L. 94-142, both states and school districts are entitled to federal funds based on a formula that multiplies the number of children ages 3 through 21 who actually receive special education and related services, by an annually increasing percentage of the average funds spent, per pupil, in U.S. public elementary and secondary schools.

School Year	Annually Increasing		Authorization	Appropriation	Per-Pupil Amount
	Percentage				
1977-78	5%		\$387 million	\$315 million	\$ 70
1978-79	10%		775 million	465 million	156
1979-80	20%		1.2 billion	804 million	211
1980-81	30%		2.32 billion	862 million	—
1981-82	40%		3.16 billion	—	—

During fiscal year 1978, both state and school districts were entitled to 50% of funds distributed by the formula. In fiscal year 1979 and thereafter, 25% of the funds is to be allocated to states and 75% to school districts. Districts can use these funds only to pay the "extra costs" of special education (i.e., costs above a computed minimum to be spent in providing special education and related services). It should be noted, however, that although the Law provides a formula for the amount of funds to be allotted and their distribution, this does not necessarily mean that all needed funds will be forthcoming.

The following restrictions have been imposed for federal allocation purposes only:

- no more than 12% of all children ages 5 through 17 in the state may be counted as handicapped; and
- no handicapped children who are counted and already funded under Section 121 of the Elementary and Secondary Education Act of 1965 may be counted for allocation of P.L. 94-142 funds.

In no way do these restrictions place a limitation on the number of children identified as handicapped by the state or school district for their own purposes, or on the federal mandate to provide all handicapped children with a Free Appropriate Public Education.

In order to qualify for assistance in any fiscal year, an active Child Find program must be instituted. Such a program must involve the identification, location, and evaluation of all handicapped children ages birth through 21, regardless of the severity of their handicap; and the determination of which children are or are not currently receiving special education and related services. The special educator should be a key person in the Child Find process. It should be noted that the process is not limited to young children, but seeks all handicapped individuals eligible for services under the Law.

Other Topics Covered by the Regulations

In addition to the seven foregoing provisions, the Regulations also call for:

- the establishment of a Full Educational Opportunity Goal for all handicapped children ages birth through 21;
- the annual count, as of December 1, of handicapped children ages 3 through 21 who are receiving special education and related services for allocation purposes (due by April 1 of each year);
- priorities in the use of funds under P.L. 94-142;
- the proper use of funds under P.L. 94-142;
- methods to guarantee public participation in the review of the state annual program plans and on the state advisory panel;
- procedures for students placed either by the school district or the parent in private educational settings;
- policies and procedures to protect the confidentiality of Personally Identifiable Information and data about a child.

Future of Special Education

Currently, special education is in a period of dramatic transition. Old practices are being challenged, and traditional roles and functions are undergoing redefinition. Terms such as "deinstitutionalization," "mainstreaming," "right to education," and "decategorization" reflect the success of advocacy for the handicapped. Shifts in our society and our schools have followed. Educators need to be aware of the changes that are likely to occur during the next 10 to 15 years, to understand their implications for education, and to adapt for growth as well as survival. The following trends* may have a major impact on the future of special education:

- greater individualization in the education of all students;
- an extension of the traditional school year;
- increased use of members of the community and resources and agencies outside the school for instructional purposes;
- expanded role of computers in student-data management for evaluation, monitoring, and decision making;
- development of community centers to provide health, evaluative, and counseling/educational services to handicapped clients with an emphasis on preschool and post-school severely handicapped clients;
- scientific/medical advances that will modify or prevent certain handicaps resulting in new and different services/programs/definitions for the changing handicapped population;
- an increase in alcoholism, drug abuse, psychological disorders, and environmental diseases due to the pressures of our industrialized society;
- greater emphasis on teaching handicapped students more productive use of leisure time and preparation for leisure-related occupations;
- increased demands for special education services by parents and advocacy groups, resulting in cooperative decision making in special education programming;
- more coordination between vocational rehabilitation and special education services;

*Selected from Dimensions of the Future and the Challenge of Change: A Report of the 1978 Annual Meeting of the National Association of State Directors of Special Education, New Orleans, March 1979.

- increased pressure for voucher plans in financing programs for handicapped students, resulting in a possible resurgence of private schools;
- increased pressure by teachers to have stipulated pupil-teacher ratios for handicapped students in regular classes and to receive compensatory pay for conference attendance and IEP development outside regular school hours;
- more demand by regular class teachers for specialized training prior to placement of handicapped students in their classroom;
- increased attention to the standards for admission and retention of handicapped students in regular classrooms; and
- increased demand by administrators for a guaranteed staff-pupil ratio.

In conclusion, it is readily evident that public schools will be forced to expand their services to handicapped children. Other segments of our society, both public and private, must also change to accommodate handicapped citizens. Handicapped individuals who receive a Free Appropriate Public Education in a nonrestrictive environment can no longer be second-class citizens; they will—and should—demand post-school training programs, good jobs, adequate housing, and the many amenities that all of us have come to expect.

Sources for Obtaining a Copy of P.L. 94-142 and Its Regulations

Because of the impact of P.L. 94-142 on American education, it is important that special educators have a copy of the Law, the Regulations, state guidelines, and local school district plans. Information for obtaining these documents is listed in the next column. While Appendix A of this guide contains highlights of the Regulations for P.L. 94-142, the Regulations proper should be referred to if the legality of a particular issue is in question.

Public Law 94-142, 94th Congress, S.6

November 29, 1975

An Act

*Send \$1.10 to: Superintendent of Documents
U. S. Government Printing Office
Washington, D.C. 20402*

The Federal Regulations for the Implementation of Part B of
the Education of the Handicapped Act
(also referred to as the Regulations Implementing Public Law 94-142)

*Write to: William D. Tyrrell, Policy Officer
Division of Assistance to States
Room 4926
Bureau of Education for the Handicapped
Donohoe Building
400 Maryland Avenue, S.W.
Washington, D.C. 20202*

State Guidelines

*Contact your local school district office or
state department of education. (There may be a small charge.)*

School District Plan

Contact your local school district office.

1. Q. How is "appropriateness" of public education determined?

2. Q. What does an IEP look like?

3. Q. Is an IEP written for all areas of a student's schooling?

4. Q. Is the development of an IEP warranted for a student receiving minimal speech instruction?

The following discussion is based on the questions special educators most frequently ask regarding P.L. 94-142.

A. "Appropriateness" refers to the unique requirements of the individual child. It is determined within the LEA, and educational choices are suited to each student based on his/her needs. Before a handicapped child is found eligible for a special education program, a comprehensive assessment of all areas related to the child's suspected disability is made by a team of specialists as part of an appraisal process. This information, plus pertinent background data, is used collaboratively by a team composed of the teacher, the parent, a qualified representative of the school district, and the child, when appropriate, to determine placement in the Least Restrictive Environment and to produce an IEP. The IEP represents the most appropriate program for meeting the child's needs.

A. The format of the written IEP has not been specified by the Regulations. However, the following content is required for each IEP:

- a statement of the child's present level of educational performance;
- a statement of annual goals, including short-term instructional objectives;
- a statement of the specific special education and related services to be provided, and the extent to which the child will be able to participate in regular educational programs;
- the projected dates for initiation and duration of services; and
- appropriate objective criteria and evaluation procedures and schedules for determining, on at least an annual basis, whether the short-term instructional objectives are being achieved.

A. Not necessarily, although it may be. The IEP is a specially designed course of study for the handicapped child. However, this course of study is designed only with respect to those areas in which the child needs modification of the regular program; therefore, it does not necessarily cover all areas of schooling. For example, a junior high school student might be confined to a wheelchair. This condition would affect the form and type of physical education, and such special provisions would be incorporated into the IEP. If this same child could perform without special aids or supports in a regular course of study, that regular study would not be included in the IEP. The IEP involves only those parts of a student's curriculum which are altered from a regular program because of his/her need for special education.

A. Speech services are considered specially designed instruction and thus fall under special education and related services. The child receiving speech instruction is considered handicapped and subject to all special education standards, among which are the Regulations of P.L. 94-142. As a consequence, a child in need of speech services

SECTION TWO:

HOW DOES P.L. 94-142 AFFECT THE SPECIAL EDUCATOR?



must have an IEP. The IEP for a child in a regular program but needing minimal speech services can be developed by the speech teacher, the LEA representative, and the parent, since the "teacher qualified to provide education in the type of program in which the child may be placed" is the speech teacher/pathologist. Or the child's regular education teacher, speech teacher/pathologist serving as LEA representative, and parent may comprise the IEP planning team, dependent upon the party identified as teacher and the responsibility authorized to the speech teacher/pathologist. The speech teacher/pathologist thus can influence who else sits in on the team. Others, such as the principal, classroom teacher or school psychologist, need not automatically become involved but they may be requested to participate in IEP planning at the recommendation of the speech teacher/pathologist.

5. Q. Is it appropriate to come to an IEP conference with a written IEP?

A. No. The Regulations of P.L. 94-142 define the IEP as a written statement developed in any meeting with the LEA representative, the teacher, and the parent. It is appropriate to come to the meeting with prepared evaluation findings and recommendations, but it must be made clear to all participants (parents, child, LEA representative, teacher, and others) that the proposed services are only recommendations, subject to team approval.

6. Q. Who is to be involved with each student's IEP planning?

A. The IEP, based on the child's evaluation, must be developed, reviewed, and/or revised by a team that includes a representative of the LEA, the child's teacher, the child's parent(s), and the student, where appropriate. If the child has been evaluated for the first time, the IEP team must include a member of the evaluation team or some other person familiar with the evaluation procedures and the interpretation of results. In addition to these professionals required to participate, it is advisable to involve LEA personnel who can support the implementation of the IEP; e.g., the appropriate building administrator, guidance counselor, and receiving teachers can provide a realistic foundation for IEP planning.

7. Q. Do all of the secondary student's teachers need to be involved in the development of an IEP?

A. No. All direct-services personnel who work with a handicapped student should be informed about and involved in implementing his/her IEP. However, it is not necessary that all concerned parties participate in all IEP meetings. The determination of how IEP implementers become involved is left to the discretion of the LEA. Thus, involvement of IEP implementers can be handled in a variety of ways so as to allot conference time economically and efficiently among personnel.

8. Q. How do you get all involved special educators together in developing an IEP?

A. Because special educators must assume responsibilities for many different handicapped children, it is often difficult to schedule meetings at times convenient to all. This problem may be alleviated if one special educator, such as the child's special education teacher or the specialist in the area of suspected disability, assumes the responsibility of liaison with the others, coordinating and disseminating information.

9. Q. What if parents want to participate but cannot attend the IEP meeting?

A. There should be an effort to make the time and location of the IEP meeting flexible so as to allow for parent attendance. If parents still cannot attend, their involvement should be assured through such means as conference telephone calls or home visits.

10. Q. What if parents choose not to participate in developing an IEP?

A. If parents, given the opportunity, choose not to participate in developing an IEP, the meeting must take place in their absence. In such cases, the school district must keep records of attempts to arrange a mutually agreed upon time and place with the parent. These records should include:

- telephone calls attempted and completed and their results;
- copies of correspondence sent and responses received; and
- visits made and their results.

Where state law requires parental consent before a handicapped student is evaluated or initially provided special education and related services, state procedures govern the public agency in overriding a parent's refusal to consent. In the absence of such state law, the public agency may use the hearing procedures in §121a. 506-121a. 513 of P.L. 94-142 to determine if it may proceed without consent.

11. Q. When does the handicapped student participate in the development of an IEP?

A. A handicapped student's participation in an IEP meeting is not directly addressed by the Regulations. When a child participates in an IEP meeting has been left to the discretion of SEAs, LEAs, and parents. Public agencies are asked to give attention to child participation, not ignore it. It is suggested that case-by-case decisions be made in this regard.

BEH has reported the national attendance of handicapped children at IEP meetings as follows: zero at the preschool level, 13% at ages 13 through 15, and 25% at ages 16 through 21.

12. Q. What if the student does not achieve the projected annual goals and objectives in an IEP? What is my liability?

A. Neither the teacher nor the school district is responsible for certifying a projected growth level for a handicapped child. The IEP annual goals and objectives are not legally binding. However, the IEP team must make "good faith efforts" to assist the child to attain them.

Nevertheless, parents have a right to initiate due-process procedures if they suspect that the IEP is not being adequately implemented. Educational personnel may be required to document their "good faith efforts." In addition, current litigation in general education may have implications for special education. That is, illiterate students who have been graduated from high school are suing educational institutions on the grounds that they have not achieved commensurate with school attendance.

If a question arises in a specific case, contact your local teacher organization for advice or legal assistance.

13. Q. What recourse do I have if I disagree with an IEP that has been approved by both my administrator and the student's parents?

A. No provision has been made in the Regulations for an educator's appeal in this circumstance. The educator may want to contact the local branch of the American Federation of Teachers (AFT), National Education Association (NEA) and/or a local child-advocacy organization and register concern. AFT and NEA are sensitive to this issue and are attempting to recommend pertinent changes in the Regulations.

14. Q. What is the school's liability for failure to deliver services called for in the IEP?

A. The school district is liable for the delivery of all services specified in an IEP. One purpose of the IEP is to provide a written commitment of resources needed to meet the needs of the handicapped child. In this sense, the IEP can be regarded as an agreement to provide services. The only instance in which services

15. Q. What recourse do I have if I feel that additional services are needed for a handicapped student but my administrator indicates that such services are not available?

16. Q. How can I possibly find time to develop IEPs for the increased numbers of special education students in my speech program/resource room?

17. Q. When does a resource-room program come under P.L. 94-142 accountability?

18. Q. What is my liability for the physical safety of a handicapped student?

19. Q. What is my role in a due-process hearing?

20. Q. What is meant by the term "mainstreaming"?

specified on an IEP need not be provided is when the IEP is amended. In this case, the services as delineated on the amended IEP must be delivered.

A. It is the school district's responsibility to provide all IEP services. Therefore, when attending the IEP planning conference, you can state what services you feel a child needs. If both parent and LEA representative agree, then those services must be provided. If unavailable within the district, they must be procured. If you and the parent agree upon services but the LEA representative does not, the parent can initiate due-process procedures. However, if, after agreement by IEP team participants, you feel that additional services are needed, but you are told that such services are unavailable and will not be procured, your only recourse is to document your request to the administrator. Sources of information that may assist you can be found in Section III, Activity A-1, of this guide.

A. To avoid a backlog of IEPs to be developed during the first weeks of school in September, you might be wise to prepare IEPs for continuing students during the month of June, reserving September for preparing IEPs for new students only. It is possible that some IEPs prepared in June may require minor revision in September to adjust for a student's unexpected regression or progress over the summer.

A. If a resource-room program is supported by special education funding and/or is servicing handicapped students, that program must meet the requirements of P.L. 94-142. If it does not the LEA risks the withdrawal of federal funds.

A. The same as that of any teacher for any student. When the physical safety of a child is in question, you are expected to display reasonable and prudent judgment. If you are unable to provide direct assistance, seek appropriate personnel who can (e.g., the school nurse).

In the case of a handicapped child, you may be aware in advance of likely incidents. For example, an epileptic child may suffer a seizure while in class, and the prudent teacher would do well to become informed on how to handle this event. In addition, a substitute should be made aware of any physical problems that might occur regarding handicapped pupils.

A. Usually, the parent or the school administration initiates due-process procedures. Your role is usually one of providing data that the hearing officer will use to make a decision. You may be asked to provide evaluation data and information supporting placement/programming recommendations, as well as clarification of the specific IEP planning process. For example, the special educator may be asked to provide results of tests, interviews, and/or observations, as well as documentation concerning specific services provided, such as instructional records indicating the methods, the materials, and the extent of services.

A. The term "mainstreaming" has been used to indicate instructional placement of handicapped students within the educational program of their nonhandicapped counterparts. However, "mainstreaming" has not

been mandated by law. Rather, P.L. 94-142 requires that handicapped students be placed in the Least Restrictive Environment (LRE). The Least Restrictive Environment is the most appropriate placement for a handicapped student, while "mainstreaming" is the process of integrating handicapped pupils into regular classrooms.

21. *Q. What procedures are available for determining the Least Restrictive Environment (LRE) appropriate to each handicapped student?*

A. In light of the intent of the Least Restrictive Environment concept (i.e., to provide the same opportunities and experiences for a handicapped child as would be afforded his/her nonhandicapped peers), the special educator must determine the minimum intervention needed to effect a satisfactory educational program. This task may be addressed by a thorough evaluation of the child's strengths, weaknesses, and needs, with subsequent determination of how a regular program can be minimally modified to meet those needs. A balance must be struck between what is least restraining environmentally and appropriate educationally.

22. *Q. What does the handicapped student need to succeed in a regular classroom?*

A. It is impossible to specify. Generally, however, there should be a positive attitude on the part of teachers and peers as well as instructional and social integration. A further key factor is the availability of support services and in-service training. Instructional integration of the handicapped students requires that the instructional methods and materials used not be so different as to isolate them from their classmates. Finally, capitalizing on the handicapped students' academic and social strengths while remediating weaknesses may promote success.

23. *Q. Does anything have to be mentioned in the IEP about the handicapped student's regular class participation other than its extent?*

A. Under §121a.346 of the Regulations, the IEP content must indicate the specific special education and related services to be provided and the extent to which the child will participate in regular programs. Generally, then, the specifics of the IEP are limited to matters concerning the provision of special education and related services and not to the total education. Thus, the nature of regular class participation need not be specified in the IEP (other than the extent of it) unless that participation involves special education; i.e., special instructional provisions to meet that child's needs and/or related services.

24. *Q. How can I help to prepare the regular classroom teacher for Least Restrictive Environment placements?*

A. Regular class teachers need to be familiar with the Least Restrictive Environment concept as well as with the nature and needs of their handicapped students. In addition, regular educators must know what materials and which professionals in the public agency are available for support in implementing Least Restrictive Environment placements. Finally, open communication channels between regular and special educators, particularly between the sending and receiving teacher, are essential.

25. *Q. Given the Least Restrictive Environment provision, is my position as a special education teacher in jeopardy?*

A. No. The implementation of P.L. 94-142 should not cause existing special education programs, including self-contained classes, to be discontinued. In fact, the Law could conceivably cause the creation of new special education programs, such as resource rooms or itinerant special education programs, as a means of meeting the needs of handicapped students within the mandated continuum of services. However, many special educators will need to develop improved interpersonal skills as well as teacher-consultation abilities to help regular educators instructing handicapped students. That is, you will need to develop an understanding of the parental perspective as well as that of the teacher(s) working with a handicapped child.

26. Q. Will I be compensated for the extra time I spend with regular class teachers in assisting them with special resources/techniques and in planning for the integration of handicapped students in the Least Restrictive Environment?

27. Q. How can I facilitate the cooperation and communication among special educators and regular classroom teachers in programming for handicapped students?

28. Q. How can I facilitate communication among all of the regular classroom teachers working with a secondary-level handicapped student?

29. Q. What is the role of the school nurse under P.L. 94-142 regarding handicapped students?

30. Q. What is the role of the adaptive physical education teacher regarding handicapped students?

A. It is anticipated that individual public agencies will arrive at specific agreements with their teachers' unions regarding your compensation for "overtime" in IEP planning and attending conferences. However, effective use of paraprofessionals and conference forms will free up your time for such activities during the regular school day.

A. Perhaps the key facilitator is the guidance counselor/social worker. Their offices are the logical places for confidential records and for multidisciplinary meetings. The counselor/social worker should establish a sign-out procedure for all records and reports regarding handicapped students. The resource-room teacher, appropriate case manager, or administrator can also help the communication process.

A. It is difficult to specify this for all school districts. However, a few general suggestions follow:

- All direct-services personnel who work with a handicapped student must be informed about and involved in implementing his/her IEP. It may be helpful to point out to the regular teachers that their cooperation will help meet this legal requirement.
- Special educators or guidance counselors may act as the liaison among regular educators instructing the same handicapped student.

A. There are many services a school nurse may provide to handicapped children, especially in light of P.L. 94-142, including the following:

- The school nurse may be involved in the early identification of handicapped students, since it is necessary to assess a child's physical health before attributing learning problems to a disability such as mental retardation.
- The school nurse may be required to keep medical records of handicapped students and interpret them to appropriate personnel.
- The school nurse may be involved in consultation with educational personnel, parents, and/or the students themselves. It may be necessary to explain medical conditions to interested parties as well as to point out their educational and physical management implications. Thus, the nurse might be asked to make specific recommendations during an IEP planning meeting.
- The school nurse may be asked to coordinate the implementation of specific medical recommendations in the IEP; e.g., the administration of medication.

A. According to the Regulations, if the adaptive physical education teacher is providing a specially designed physical education program for a handicapped child, the IEP must include detailed information about that physical education, including program duration, goals, and objectives. Thus, the adaptive physical education teacher might be asked to provide evaluative information about and specific recommendations for the planning of that program as well as monitoring information in the carrying out of that program.

31. Q. What is the role of the teacher compared with that of the teacher aide in programming for handicapped students?

32. Q. How can the referral/evaluation process be speeded up once the student has been identified as possibly in need of special education?

33. Q. How can inappropriate referrals for special education services be prevented?

34. Q. What "related services" must the LEA provide to handicapped students?

35. Q. How should related services be described in an IEP?

A. In general, the teacher is responsible for programming decisions and the teacher aide is responsible for carrying them out. Both are expected to show "good faith" in implementing the IEP.

A. Using clear and pertinent referral procedures (as described in the answer to the following question), as well as preparing the child for referral and possible evaluation, help expedite the process. However, unless state statutes specify a minimum period between referral and evaluation, you have no legal recourse to demand speedy evaluation. (There are two court cases pending, in New York and Mississippi, that may set legal precedent for this issue nationwide.) At the present time, no federal statute or regulation specifies a minimum elapse of time between identification of suspected handicap and evaluation, although specific states may do so.

A. It is difficult to specify, since situations vary greatly from school district to school district. However, the referral process may be improved if (a) referral procedures are established in the district and (b) teachers/relevant educational personnel are given detailed written instruction about referral procedures or in-service training. In addition, though referral forms are usually brief in order to expedite the referral process, Moran* suggests components of a referral that may help screen out inappropriate referrals:

- Accompany the referral by all readily available information to the person referring.
- Report attempted interventions and their effects.
- Formulate a statement of what the referring party wants to know in order to appropriately instruct the student.

A. These services include "transportation and such developmental, corrective, and other supportive services as are required to assist a handicapped child to benefit from special education. These services might be any of the following: speech pathology and audiology, psychological services, physical and occupational therapy, recreation, early identification and assessment of disabilities in children, counseling services, and medical services for diagnostic or evaluation purposes." The category also includes "school health services, social work services in schools, and parent counseling and training."

A. Related services, as defined in the Regulations, are those services "required to assist the handicapped child to benefit from special education"; e.g., transportation and support services such as speech pathology and audiology. The extent and duration of these services should be provided in the IEP so that the resource commitment and the duration of specified services are clear to all IEP members. For example, if speech and language pathology services are to be provided, the IEP should include a statement indicating the number and length of sessions per week.

To date, BEH has not made final the position that related services listed in the IEP must include details

*Moran, M.R. The teacher's role in referral for testing and interpretation of reports. Focus on Exceptional Children, 1976, 8, 1-15.

36. Q. How can I learn to work better with parents of handicapped students?

37. Q. To what extent is the LEA obligated under P.L. 94-142 to provide medical services to handicapped students?

38. Q. How can I identify which forms and activities are federal requirements under P.L. 94-142, and which are individual state requirements?

of how much of a given service will be provided each week or in a given session. This position was taken in the draft IEP policy paper, but it is likely to undergo some revision based upon comments that have been received by BEH.

A. Interpersonal skills, and the ability to facilitate communication, are essential. Your concerted effort to avoid stereotyping parents, and an ability to listen, will prove most helpful in establishing rapport. In addition, you should be able to communicate clearly in lay terms (e.g., defining technical terms such as dyslexia), showing parents the instructional materials to be used with their child, and so on. The intent of P.L. 94-142 is that there be a cooperative dialogue among all interested parties for the benefit of the handicapped student.

A. This is unclear and will require further clarification. One school district, for example, appropriated \$250,000 in 1979 for medically related services to handicapped pupils. While the Law calls for schools to provide medical services only in connection with diagnosis and evaluation, there is confusion between, on the one hand, what constituted a medical service and, on the other, what constitutes a health service and therefore is required as a "related service"; e.g., catheterization. Essentially, decisions can be based on the criterion that the medical service must be directly related to the provision of special education. Further, decisions should be specific to each handicapped student. For further clarification, contact your SEA or local universities. (Sources of information can be found in Section III, Activity A-1, of this guide.)

A. There are essentially eight federal forms required under P.L. 94-142:

- Program Administrative Review Forms
- P.L. 94-142 Child Count Forms
- P.L. 89-313 Average Daily Attendance Forms
- Performance and Financial Reports
- Program Plan Applications for Part B, EHA—Section 611
- Preschool Incentive Grant Application Forms for Part B, EHA—Section 619
- Local Education Agency Interview Guides
- State Education Agency Interview Guides

Federally required special education activities can be classified into five groups:

- identification activities—e.g., the LEA establishing a system for the identification and evaluation of private school students suspected of having handicapping conditions;
- assessment activities—e.g., the LEA administering tests in the child's native language;
- placement activities—e.g., convening an IEP meeting within 30 days of determination that a child needs special education;
- program-related activities—e.g., carrying out due-process procedures; and
- monitoring activities—e.g., taking corrective actions when discrepancies are identified during monitoring.

39. Q. Who is responsible for assuring that in-service training is being delivered adequately?

40. Q. What mechanisms are available for receiving my input in planning in-service programs?

41. Q. While the number of special education students is increasing, the funds for providing special education services are not. How can I possibly program effectively for more pupils with no more money?

42. Q. How can I teach students with severe/profound handicaps when all my previous experience has been with pupils with mild to moderate handicaps?

43. Q. How do I handle the extremely disruptive student in the classroom?

44. Q. How can I teach students with a variety of handicapping conditions when my training is with pupils with a specific handicap?

It is likely that other forms and/or activities not classified under the above categories would be an individual state requirement. If in doubt, contact your regional intermediate state agency or SEA.

A. The state must ensure that ongoing in-service training programs are available to all personnel engaged in the education of handicapped children. These programs should include the use of incentives for teacher participation (e.g., released time, payment for participation, options for academic credit, salary step credit, certification renewal, or updating professional skills), the involvement of local staff in planning and the use of innovative practices found to be effective.

A. You may use the IEP monitoring process to transmit your opinions regarding in-service programs. When the appropriateness of the IEP and/or educational placement is being monitored, you can provide feedback about issues that should be addressed in in-service programs as well as about possible methods/techniques to use in the in-service training. Many states require ongoing in-service training as a part of the continuing education program for maintaining teacher certification.

A. You will need to explore the use and resources of volunteers, service organizations, and community resources. Public agencies would be well advised to establish a comprehensive public-relations campaign to gain support for special education and understanding of the unique problems posed by special education students. Public schools should enlist the support of museums, churches, libraries, senior citizens, Kiwanis, Rotary, Lions, community businesses—and most important, parents—in tackling the problems of financial support.

A. Behavior management techniques and task analysis are probably the two additional areas of expertise required of the former teacher of mildly handicapped pupils who is now instructing severely/profoundly impaired students. In addition, the teacher may face curricular and/or programming decisions new to him/her. For example, instead of modifying the general curriculum for the mildly handicapped student, the teacher of the severely/profoundly impaired student may need to develop the curriculum; e.g., the need for self-help and vocational skills, the extent of academic instruction, and so on. It is most important that teachers of severely/profoundly impaired students have a solid understanding of the sequence of intended instruction within and across curricular areas. In some states that operate on a categorical model, additional training/certification may be required for a teacher of the mildly handicapped to make the transition to severely/profoundly handicapped students.

A. A policy for handling disruptive students should be developed by the school/system on a case-by-case basis. There is no single option applicable to all cases. However, skill in behavior management is helpful.

A. The same sound teaching strategies often prove appropriate with a variety of handicapping conditions. The teacher must make an effort to upgrade his/her abilities to meet new professional demands.

45. Q. What is the definition of "learning disabilities" for purposes of evaluation and placement?

A. Professionals in the field of learning disabilities are currently attempting to develop a serviceable working definition. The Regulations define a "specific learning disability" as a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations. The term includes such definitions as perceptual handicaps, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The term does not include children who have learning problems which are primarily the result of visual, hearing or motor handicaps, of mental retardation, or of environmental, cultural, or economic disadvantage.

46. Q. Are gifted and talented students eligible for special education funding/services?

A. Gifted and talented students are not eligible for special services funded under P.L. 94-142. Specific concerns of gifted and talented students are addressed in the Gifted and Talented Children's Act of 1978, P.L. 95-561.

However, some states, e.g., Pennsylvania and North Carolina, have elected at the state level, to include gifted and talented students under special education. In these two states, then, gifted and talented students are entitled to the special education services. Some other states, while not including gifted and talented students under special education, have chosen to make some of the provisions of P.L. 94-142, such as the IEP, available for gifted and talented students. Contact your SEA for provisions in your state.

Q. How can I learn about the various sources of help/information available for special educators?

ACTIVITY A-1

Objective:

A. You can learn about these sources by referring to the established "hot lines" for education of handicapped students and by becoming familiar with the publications and media developed for special educators.

Research: "Hot Lines" for Education of Handicapped Persons

To learn about some agencies that can answer questions regarding the education of handicapped students

Materials:

Telephone or paper, envelopes, stamps

Procedure:

Listed below are the names and brief descriptions of agencies offering information and referral services. For more information, call or write the appropriate agency.

- American Federation of Teachers (AFT)

Educational Issues Department

11 Dupont Circle, N.W.

Washington, D.C. 20036

(202) 797-4462

The AFT, an international teachers' union, provides in-service for teachers in P.L. 94-142 programs and educational pamphlets/brochures related to the Law. The union also offers consultation to its state and local affiliates as well as to individual teachers on questions concerning the implementation of P.L. 94-142.

- American Printing House for the Blind (APHB)

P. O. Box 6085

Louisville, Ky. 40266

(502) 895-2405

APHB is the nation's largest publisher of literature, teaching aids, and textbooks for the blind. Catalogs of its publications are furnished on request. The Instructional Materials Reference Center maintains current files of educational resources for blind and visually impaired learners.

- Association for Children with Learning Disabilities (ACLD)

5225 Grace Street

Pittsburgh, Pa. 15236

(412) 881-1191

ACLD is a national organization of parents, teachers, and concerned citizens

SECTION THREE:

WHAT ACTIVITIES
WOULD HELP
THE SPECIAL
EDUCATOR
PREPARE TO
IMPLEMENT
P.L. 94-142?



that works to develop research programming and supportive services for learning-disabled children. It operates information and referral services through its local chapters across the country.

- Association for the Severely Handicapped
Information Department
1600 West Armory Way
Seattle, Wash. 98119
(206) 283-5055

This agency provides referral information in locating services for the severely/profoundly handicapped of all ages. Publications include a monthly newsletter; a quarterly journal; and extensive publication lists of books, papers, and articles.

- Boy Scouts of America (B.S.A.)
Scouting for Handicapped Division
North Brunswick, N.J. 08902
(201) 249-6000

B.S.A. provides information and guidelines for organizing scout troupes for mentally and physically handicapped youth. The B.S.A. Education Relationships Service furnishes free literature on request.

- Children's Defense Fund
Washington Research Project, Inc.
1520 New Hampshire Avenue, N.W.
Washington, D.C. 20036
(202) 483-1470

This organization provides long-range and systematic legal advocacy for children, especially in the areas of right to education, health care, and the juvenile justice system.

- Committee for the Handicapped
People-to-People Program
1028 Connecticut Avenue, N.W.
Washington, D.C. 20036
(202) 223-4450

The Committee was established in 1956 to promote closer understanding and cooperation, worldwide, among disabled people. To this end, it acts as liaison and information center of services for handicapped persons.

- Council for Exceptional Children (CEC)
1920 Association Drive
Reston, Va. 22091
(800) 336-3728

This organization's purpose is threefold: to advocate, in cooperation with state and federal government agencies, and to advance education of all types of exceptional children; to promote standards for professionals engaged in educating exceptional children; and to publish a series of journals, brochures, and other publications to strengthen and reinforce education of exceptional children. An information clearinghouse consisting of computerized literature searches and a policy research center (e.g., federal and state laws and regulations) is available for reference.

- Girl Scouts of the U.S.A. (G.S.A.)
Scouting for Handicapped Girls Program
830 Third Avenue
New York, N.Y. 10022
(212) 751-6900

G.S.A. offers opportunities for handicapped girls to participate in the regular scouting program. Activities are adapted to suit the abilities and limitations of individuals.

- IRUC: Information and Research Utilization Center for Physical Education and Recreation for the Handicapped
AAHPERD
1900 Association Drive
Reston, Va. 20091
(703) 476-3460

IRUC publishes periodicals on information and activities for handicapped people. It maintains a library with vast reprint services and has available pamphlets, topical updates, books, and resource listings.

- Market Linkage Project for Special Education (LINC Services, Inc.)
829 Eastwind Drive
Westerville, Ohio 43081
(614) 890-8200

LINC is the marketing agent for commercial distribution of BEH-contracted products. Available to all through LINC are the annual marketing report, semi-annual newsletter, brochures for developers about successful distribution plans, and a catalog describing available products.

- National Association of the Deaf (NAD)
814 Thayer Avenue
Silver Spring, Md. 20910
(301) 587-1788

NAD is chiefly a referral agency handling problems of deafness. It promotes the welfare of deaf persons in education, employment, legislation, and communication.

- The National Association for Retarded Citizens (NARC)
2709 Avenue E., East
Arlington, Texas 76011
(817) 261-4961

This voluntary organization works to improve the welfare of all retarded persons by funding services to individuals and their families, improving institutional and community-based care, ensuring legal rights, and improving educational and employment opportunities. NARC operates at national and regional levels, and also has local units throughout the country.

- The National Center for Law and the Handicapped, Inc. (NCLH)
1235 North Eddy Street
South Bend, Ind. 46617
(219) 288-4751

NCLH was established to ensure equal protection under the law for all handicapped persons through programs of legal assistance, research activities, public education, and professional awareness. Its publications deal with the legal and social rights of handicapped persons.

- The National Committee—Arts for the Handicapped
Attention: Ralph Nappi
1701 K Street, N.W.
Suite 905
Washington, D.C. 20006
(202) 223-8007

This organization, through congressional, BEH, and private funding, has sites around the nation whose goal is to foster the growth of arts programs for handicapped individuals and youth. Publications include a newsletter published six times a year, brochures describing special art festivals, information and resources services, training and technical-assistance systems, media, and products resulting from research efforts.

- National Education Association (NEA)
Instruction and Professional Development
1201 16th Street, N.W.
Washington, D.C. 20036
(202) 833-4000

The NEA Standing Committee on Instruction and Professional Development recommends policies in instruction, professional development, and self-governance, and suggests steps to increase practitioner involvement in all matters related to instruction and professional development. The Committee identifies the needs of NEA members in areas including classroom management, education of the handicapped, in-service education, and early childhood education. These data are partly the basis for resolutions recommended to the NEA Board of Directors by the Committee.

- National Information Center for Special Education (NICSEM)
University of Southern California
Information Specialist
Research Annex; University Park
Los Angeles, Calif. 90007
(800) 421-8711 outside California area
(213) 741-5899 within California area

NICSEM serves primarily as an indexer of information about media and materials for special learners. The data bases to disseminate products are in print and via on-line computer search. A brochure describing services is being developed.

- National Inservice Network
Indiana University
2853 East Tenth Street, Cottage L
Bloomington, Ind. 47405
(812) 337-2734

This agency operates two publicly available computer bases to run searches of currently operating BEH-funded in-service training projects that serve handicapped individuals. Also available are: newsletters, abstracts on projects, brochures describing agency efforts, computer searches, and costs of approximately 200 products.

- National Society for Autistic Children (NSAC)
169 Tampa Avenue
Albany, N.Y. 12208
(518) 489-7375

This organization, comprised of parents, professionals, and interested lay persons, works to promote education, research, and legislation on behalf of children with severe behavioral disorders. NSAC operates an information and referral service, as well as a publications section.

- **Regional Resource Centers (RRCs)**

RRCs provide assistance to state education agencies and, through them, to local education agencies to help meet their responsibilities under P.L. 94-142. RRCs provide technical assistance through demonstrations of exemplary service and through delivery of service in appraisal, individualized educational programming, placement alternatives, implementation procedures, evaluation of child performance, and review of IEP process. Contact is made via the states which identify within-state clients requiring assistance.

ACTIVITY A-2

Objective:

Investigation: Publications and Media Designed to Help Special Educators

To learn about some of the publications and media developed to assist special educators in implementing P.L. 94-142

Materials:

Writing materials, stamps

Procedure:

Read through the reference list below and identify which materials might best meet your needs. List the ones you would consider essential for your particular concerns. Contact the listed source people or agencies to obtain information on ordering or pre-viewing materials.

- **Accepting Individual Differences**

Content: K-4 curriculum

Target: Special and regular education teachers, children

Format: Training packages

Source: Developmental Learning Materials
7440 Natchez Avenue
Niles, Ill. 60648

- **Choices**

Content: Discussion of education in the Least Restrictive Environment

Target: General

Format: 15-min. color film

Source: Division for Exceptional Children
State Department of Public Instruction
Raleigh, N.C. 27611

- **Designing a Resource Room**

Content: Information describing layout and design of a special education resource room, suggested materials

Target: Regular and special education administrators, special education teachers

Format: Filmstrip, tape, printed materials

Comment: Materials available on a limited basis

Source: Larry Gloeckler
New York State Department of Education
55 Elk Street
Albany, N.Y. 12234

• Due Process and Confidentiality Training Package

Content: Training in due process

Target: School personnel, teachers, administrators, school board members

Format: Package of printed materials

Source: Larry Swift
School Directors Association
200 East Union Avenue
Olympia, Wash. 98501

• IEP Training Package

Content: Packaging and implementing IEPs

Target: All school personnel involved in IEP development

Format: Printed material

Source: Wayne Spense, Special Services Supervisor
Special Services Section
Old Capitol Building
Olympia, Wash. 98504

• Informal Diagnostic Prescriptive Programming (IDPP) Workshop

Content: Ten competency-based modules: task analysis, error-pattern analysis, systematic modification, learning methods, task analysis of materials, matching learner characteristics with materials, designs, discovering what children can and cannot do, defining the problem and referral procedures, and behavioral objectives; information on modifying materials, IDPP process, how to plan, develop, organize, and implement a workshop, communication skills

Target: Trainers, special education teachers

Format: Manuals and transparencies for 5-day participants' workshops, manuals for 2-day follow-up workshops for trainers, manuals and videotapes for trainers—3-day workshop

Source: Dena Goplorude
1332 26th Street
Drake University
Des Moines, Iowa 50311

- Learning Disabilities Teacher Consultant Handbook

Content: Guidelines for role evaluation, integration, working with the multidisciplinary team, teacher conferences, in-service training
 Target: Administrators, persons acting as learning consultants
 Format: Handbook
 Source: Council for Exceptional Children
 Reston, Va. 22091
 ERIC Document Reproduction Service No. ED 172 765

- Mainstreaming the Visually Handicapped

Content: Classroom techniques for incorporating visually handicapped students into the regular classroom
 Target: Regular and special education teachers, administrators
 Format: Filmstrip, slides, printed materials
 Comment: Materials available on a limited basis
 Source: Larry Gloeckler
 New York State Department of Education
 55 Elk Street
 Albany, N.Y. 12234

- Managing Behavior: A Parent Improvement Program by Richard L. McDowell

Content: Behavior-management techniques
 Target: Trainers, parents
 Format: Kit: three 15-min. filmstrips, three tapes, manual, parent log books
 Source: Research Press
 Box 31778
 Champaign, Ill. 61820

- Media and the Message: A Teacher Training Program on P.L. 94-142 for Special Educators and Media Specialists

Content: Six-session course to develop understanding of P.L. 94-142, the needs of handicapped students, the use of media with handicapped pupils, and the development of IEPs
 Target: Teachers, administrators, media specialists pre- and in-service
 Format: Tapes, printed material
 Source: Dawn Heller, Media Specialist
 Riverside-Brookfield High School
 Ridgewood and Golf Roads
 Riverside, Ill. 60546

OR

Sara McCracken, Director
 La Grange Area Department of Special Education
 1301 West Cossitt Avenue
 La Grange, Ill. 60525

- Project STRETCH (Strategies for Training Regular Educators to Teach Children with Handicaps)

Content: Twenty modules for training lectures: questioning skills, learning centers, value clarification, classroom management, parent counseling, etc.

Target: Regular educators, trainers

Format: Training modules

Source: Hubbard
P. O. Box 104
Northbrook, Ill. 60062

- Selecting Instructional Materials for the Handicapped

Content: Information describing selection criteria

Target: Regular and special education teachers

Format: Mixed

Comment: Materials available on a limited basis

Source: Larry Gloeckler
New York State Department of Education
55 Elk Street
Albany, N.Y. 12234

- Severe/Profound/Training Package

Content: Training for the severely/profoundly handicapped student

Target: Teachers, support personnel, administrators

Format: Package of printed materials

Source: Val Lynch
Experimental Education Unit
University of Washington
Seattle, Wash. 98195

- Sex Education Information Packet

Target: Teachers of the handicapped student

Format: Booklet

Comment: Materials available on a limited basis

Source: Larry Gloeckler
New York State Department of Education
55 Elk Street
Albany, N.Y. 12234

- Sounds-Around

Content: Teaching speech sounds to the language-impaired pupil

Target: Teachers

Format: Thirty 15-min. films

Source: Bruce Piland
Director of Special Education
Clover Park School District
14721 Murray Street, S.W.
Tacoma, Wash. 98439

• A Special Partnership: A Teacher Training Program on P.L. 94-142 for Special Educators and Media Personnel

Content: College course on training sessions on P.L. 94-142, handicapping conditions, media services, roles of media specialists and special educators, IEPs

Target: Teachers, administrators, media specialists, trainers

Format: Audiotapes, printed material, other media; six sessions

Source: Joan Carson

Department of Specialized Educational Services
Illinois Office of Education
100 N. First Street
Springfield, Ill. 62777

• Target Behavior by Roger Kroth

Content: Q-sort technique of screening children with adjustment problems

Target: Trainers, teachers, parents, children

Format: Kit: Q-sort behavior board, cards, manual, record sheets

Source: Edmark Associates

13241 Northup Way
Bellevue, Wash. 98005

Q. How can I develop consultant skills to help me in my increasing professional involvement with regular education teachers?

ACTIVITY B-1

Objective:

To communicate effectively with colleagues

Materials:

None

Procedure:

Try to do the following:

- Establish an environment conducive to open communication.
While crowded lunchrooms and playgrounds are fine for informal greetings,

a serious discussion should be allotted sufficient time and distractions minimized (e.g., no children in the room).

- Express your views clearly and concisely.
Think about what you will say (e.g., the issues you want to raise, the opinions you want to express). When talking with colleagues, lead them to rephrase your comments so that you can see if they understand.
- Listen to the views of others.
While it is important that you give your colleague *time to talk*, it is equally important that you *listen to and understand* what is being said. Try to rephrase your colleagues' comments to clarify issues and make sure you understand.
- At the end of your meetings, clarify points made and activities agreed upon. It may be helpful to put some of the suggestions in writing for future reference.

ACTIVITY B-2

Role Play

- Objective: To develop an awareness of the roles assumed by regular educators
- Materials: None
- Participants: Three or more special educators
- Procedure: You and other special educators can role play some of the situations listed below. Following the role-play situation, discuss feelings and perspectives in the simulation.

Situations:

- An IEP team meeting has been called. An elementary music teacher has been asked to attend the meeting, along with a mildly handicapped child's special education teacher, parent, and principal. The music teacher is unfamiliar with the child and with his/her background.
- An IEP planning meeting has been called. A secondary science teacher has been asked to attend, along with the parent, mildly handicapped student, resource-room teacher, and principal. The science teacher is unfamiliar with the student and with his/her background.
- A mildly handicapped child has been "mainstreamed" into a junior high social studies class. This child has been presenting learning as well as discipline problems for the social studies teacher. The child has contact with the following staff members: resource-room teacher, counselor, and psychologist.

- A mildly handicapped student has been presenting behavior problems in the lunchroom, which is monitored by the 12th-grade English teacher. The youth attends a self-contained class for behaviorally disordered pupils. The student's guidance counselor has been in touch with the parents concerning behavior problems that occurred previously in the classroom.

ACTIVITY B-3

Objective:

To develop effective consultation techniques

Materials:

None

Procedure:

Try to do the following:

- Become accessible to teachers.
If teachers are to discuss problems with you, you should be approachable, available, and able to give them time and attention.
- Show an interest in the work and opinions of teachers.
Initiate informal discussions about their activities in the classroom, views about teaching, and the like. These discussions may be conducted in informal situations such as in the lunchroom, playground, and at the ditto machine. You may also want to observe each teacher's classroom environment. If problems arise concerning a handicapped student's placement, it helps if you know what the classroom climate is like.
- Make your role known to the teachers.
In your conversations with teachers, you may want to talk about the nature of your work, your activities, what you would like to do, and the kinds of problems you've been involved with (remembering to keep identifiable information about a client confidential). If it is appropriate in your school system, the more formal approach of an in-service workshop could deal with such information.
- When a teacher has a problem or needs assistance in implementing a program, work with that teacher.
Make efforts to help start the implementation of a new program; show (not just tell) the teacher what to do in the classroom, if possible. Be sure to follow-up the progress of any implementation.

Q. How can I become familiar with job opportunities for handicapped students as well as facilitate appropriate

vocational/career education?

A. You can refer to a comprehensive and up-to-date career/vocational reference library, contact appropriate agencies, and work with the vocational educator in your school system.

ACTIVITY C-1

Reference Library: Vocational/Career Education

Objective: To become familiar with sources that will help facilitate appropriate vocational/career education and job placement for handicapped students

Materials: Selections from the sources below

Procedure: Listed below are annotated references arranged alphabetically by author. They were selected to give you an overview of the nature and scope of materials. Read through and become familiar with them.

Bitter, J. A., & Bolanovich, D.J. WARF: A scale for measuring job readiness behaviors. American Journal of Mental Deficiency, 1970, 74, 616-620.

Presented in this article is a discussion of the need for tests that will indicate a measure of work-related behaviors predictive of satisfactory job adjustment.

Board of Education and Rehabilitation. A handbook for developing programs and services for disadvantaged students. Springfield, Ill.: Southern Illinois University at Carbondale, 1975.

This book examines aspects of vocational programs for disadvantaged students, including the following: identifying students, career guidance, curriculum, remediation/discipline, personal services, placement, and evaluation.

Brolin, D. Vocational evaluation: Special education's responsibility. Education and Training of the Mentally Retarded, 1973, 8, 12-17.

In this article, a model secondary vocational evaluation and placement program is described. Also presented is a method to organize large amounts of vocational evaluation data.

Chaffin, J. D., & Payne, J. S. Developing employer relations in a work study program for the educable mentally retarded. Education and Training of the Mentally Retarded, 1968, 3, 127-132.

This article describes techniques for recruiting employers, developing employer's interests, and maintaining employer support for a work-study program. The techniques were developed as a result of 3 years' experience in the Kansas Special Education and Vocation Rehabilitation Cooperative Project.

Clennon, S. Training special students for employment. Teaching Exceptional Children, 1975, 7 (3), 106-107.

This article describes a program in which special education students learn about job opportunities and develop job skills.

Colella, H. V. Career development center: A modified high school for the handicapped. Teaching Exceptional Children, 1973, 5, 110-118.

The Career Development Center in Nassau County, New York is described. The focus of the Center is to prepare handicapped adolescents to adapt to the work environment.

Evenson, J., & Spotts, R. Implementing Experienced-Based Career Education (EBCE) for handicapped students: A mainstreaming approach. San Francisco, Calif.: Far West Laboratory for Educational Research and Development, 1979.

This book presents the characteristics of the EBCE program. EBCE provides students with a comprehensive alternative to regular high school. Academic learning occurs in the community through projects that earn credits toward graduation. The community activities also provide the career awareness necessary to pursue future goals. EBCE has been implemented throughout the country, allowing for local adaptations.

Griffin, G., Clelland, R., Pynn, M., Smith, J., & Adamson, G. The training of professionals in vocational education for the handicapped: The consumer's guide series (Vol. 3). Washington, D.C.: Bureau of Education for the Handicapped, 1978.

This guide contains a list of training programs surveyed, products by state, and recommendations for personnel preparation in the area of vocational education for handicapped people.

Hayden, J. G. A work experience program in rural areas. Teaching Exceptional Children, 1975, 7 (4), 130-133.

A 2-year program in a rural area is described. During the first year, students develop work habits and attitudes. They work in a community-based job the second year to learn specific skills.

An introduction to career education: A policy paper of the U. S. Office of Education (OE). Washington, D.C.: U. S. Government Printing Office, 1975.

This booklet presents a comprehensive conceptual statement on career education and a description of the former OE's interpretation of the HEW (now U. S. Education Department) policy on career education.

Lake, T. P. Career education: Exemplary programs for the handicapped. Reston, Va.: Council for Exceptional Children, 1973.

In this book six different model secondary school programs are described, one for deaf students and the others noncategorical. Names and addresses of people to contact for further information about the programs are provided.

Lance, W. D. Classroom techniques. Education and Training of the Mentally Retarded, 1973, 8, 27-28.

This article describes the Actual Life Experience Lab (ALE). Its focus is not to develop a specific job skill but rather to introduce the student to a number of tasks that may prove valuable in a job.

McKinney, L. A., & Seay, D. M. Development of individualized education programs (IEPs) for the handicapped in vocational education. Columbus, Ohio: National Center for Research in Vocational Education, 1979.

This booklet is one of a series of 16 papers produced during the first year of the National Center's knowledge-transformation program. Topics addressed include the following: elements of the IEP; procedures for identifying and diagnosing individual needs in relation to career goals as well as the psychomotor, cognitive, and affective domains; and prescribing vocational education in the IEP.

Mindel, E. D., & McCay, V. They grow in silence: The deaf child and his family. Silver Spring, Md.: National Association of the Deaf, 1971.

This book discusses the deaf person's life; causes of deafness; the child's language; and some vocational, educational, and psychological effects of deafness.

Morrison, L. Job-skill checklist. Pointer, 1975, 19, 200-201.

This article presents a checklist of job skills developed from job briefs provided by a state employment bureau.

ACTIVITY C-2

Investigation: Organizations and Agencies Providing Assistance in Career/Vocational Education

Objective: To learn about agencies and organizations that can assist special educators in implementing career/vocational education programs for handicapped students

Materials: Writing materials, stamps

Procedure: The following list of agencies and organizations provides information, referral services, publication materials, and/or products regarding career/vocational education. Read through the list and identify those agencies/organizations that might best meet your needs. Contact the appropriate agencies to obtain further information concerning services and materials.

- American Vocational Association
1501 H Street, N.W.
Washington, D.C. 20062
- American Personnel and Guidance Association
1607 New Hampshire Avenue, N.W.
Washington, D.C. 20036
- Bureau of Adult, Vocational, and Technical Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202
- Bureau of Occupational and Adult Education
400 Maryland Avenue, S.W. (ROB #3)
Washington, D.C. 20202

- Center for Career Development and Occupational Preparation
Texas A & M University
College Station, Tex. 77843
- Center for Studies in Vocational and Technical Education
321 Education Building
1000 Bascom Mall
Madison, Wis. 43706
- Council of State Administrators of Vocational Rehabilitation
1522 K Street, N. W., Suite 836
Washington, D.C. 20005
- Comprehensive Employment and Training Act
Bureau of Occupational and Adult Education
400 Maryland Avenue, S.W. (ROB #3)
Washington, D.C. 20202
- Division of Vocational and Technical Education
Bureau of Occupational and Adult Education
400 Maryland Avenue, S.W. (ROB #3)
Washington, D.C. 20202
- Handicapped and Vocational Guidance Program
Division of Vocational and Technical Education
Bureau of Adult, Vocational, and Technical Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202
- Materials Development Center
Stout Vocational Rehabilitation Institute
Menomonie, Wis. 54751
- Midwest Regional Consortium of Project Retool
Career Education for the Handicapped
377 Haworth Hall; University of Kansas
Lawrence, Kans. 66045
- National Advisory Council on Career Education
311 Regional Office Building #3
7th and D Streets, S.W.
Washington, D.C. 20202
- National Advisory Council on the Education of Disadvantaged Children
425 13th Street, N.W., Suite 1012
Washington, D.C. 20004
- National Advisory Council on Vocational Education
425 13th Street, N.W., Suite 412
Washington, D.C. 20004
- National Association for Career Education
Glassboro State College
Glassboro, N.J. 08028
- National Association for Retarded Citizens
On-the-Job Training Project
2709 Avenue E, East
Arlington, Tex. 76011
- National Center for Career Education
University of Montana
P. O. Box 7815
Missoula, Mont. 59807
- National Center for Research in Vocational Education
The Ohio State University
Columbus, Ohio 43210
- National Rehabilitation Association
1522 K Street, N.W.
Washington, D.C. 20005
- President's Committee on Employment of the Handicapped
1111 20th Street, N.W.
Washington, D.C. 20210
- Rehabilitation Services Administration
Office of Human Development
330 Independence Avenue, S.W.
Washington, D.C. 20005

ACTIVITY C-3**Working with Vocational Educators**

Objective: To develop working relationships with vocational educators to facilitate implementation of appropriate vocational/career education programs for handicapped individuals

Materials: None

Procedure: Special educators can work with vocational educators to develop the strengths of handicapped students in any number of ways. A few examples follow:

- Developing and Implementing the IEPs of Handicapped Students
Special educators realize that career/vocational education is a necessary component of many handicapped students' IEPs. The special educator should work closely with the vocational educator to develop an appropriate career/vocational education program. It should be integrated with the rest of the student's educational program.
- Identification and Assessment of Handicapped Students
Career-development competencies for special education students involve more than just the attainment of occupational skills. Daily-living and personal-social skills also need to be developed. The special educator may be able to assist the vocational educator in determining students' needs in each of these areas, especially as they relate to vocational education.
- Coordination of Student Data
The special educator may be able to coordinate and disseminate relevant student background information to the vocational educator to assist him/her in developing the vocational education component for the IEP.
- Development of Specialized Competencies
There are many competencies vocational educators may need to develop, particularly when dealing with handicapped students (e.g., developing IEPs consistent with the requirements of P.L. 94-142 and creating instructional sequences based on task analysis). The special educator may be able to provide support services to the vocational educator in the development of these competencies as well as assist in implementing specific educational programs.

Q. How can I work successfully with parents?

A. You can use effective communication and consultation techniques (see activities B-1 and B-3), refer to appropriate resources and agencies as needed, and develop activities for use with parents (such as role-playing) that help them understand their child and their role in his/her educational development.

ACTIVITY D-1

Reference Library: Working with Parents of Handicapped Children

Objective: To become familiar with references that will help you in working with parents

Materials: Selections from sources below

Procedure: Listed below are annotated references arranged alphabetically by author. They were selected to give an overview of the nature and scope of materials. Read through them and choose those that might help you.

Barsch, R. H. The parent of the handicapped child. The study of child-rearing practices. Springfield, Ill. Charles C. Thomas, 1968.

This book is suitable for parents and teachers of handicapped children. Research findings about daily experiences within family structures are presented.

Barsch, R. H. The parent-teacher partnership. Reston, Va.: Council for Exceptional Children, 1969.

The focus of this book is on how teachers can cooperate with parents in programming for handicapped children.

CEC Information Center on Exceptional Children. A selected guide to public agencies concerned with exceptional children. Reston, Va.: Council for Exceptional Children, 1974.

This guide, appropriate for professionals as well as parents, lists 21 agencies in the field of special education.

Concept Media. Loss and grief. Irvine, Calif.: Author, 1977.

This audiovisual kit (one manual, seven filmstrips, seven cassette tapes or records) can be used by teachers and parents. It presents a variety of situations in which loss is experienced and depicts how individuals adapt to it. In addition, guidelines are provided for interacting appropriately with a grieving person.

De los Santos, & Mycue, E. Young children with handicaps: Part I: Emotional disturbance and specific learning disabilities: An abstract bibliography. Young children with handicaps: Part II: Physically handicapped: An abstract bibliography. Urbana: University of Illinois, ERIC Clearinghouse on Early Childhood Education, 1973.

These bibliographies are appropriate for parents and professionals. Provided are full bibliographic citations, annotated entries, ERIC order forms, and information.

Developmental Learning Materials. Accepting individual differences. Niles, Ill.: Author, 1977.

This curriculum is designed to help parents, teachers, and students accept differences related to handicapping conditions at various age levels.

Emerick, L. The parent interview: Guidelines for students and practicing speech clinicians. Danville, Ill.: Interstate Printers and Publishers, 1969.

This booklet is designed for professionals and focuses on the diagnostic interview with parents.

Epilepsy Foundation of America. Materials price list. Washington D.C.: Author, 1979.

This catalog provides information regarding pamphlets, reprints, paperback books, cassettes, slides, and films.

Evans, J. A resource list and annotated bibliography for working with parents of handicapped children. Austin, Tex.: Southwest Educational Development Laboratory, 1979.

This booklet is a resource list of materials arranged by subject heading and annotated alphabetically by author.

Evans, J. Working with parents of handicapped children. Reston, Va.: Council for Exceptional Children, 1976.

This booklet is appropriate for anyone who works with handicapped children. Information on the following is included: understanding parents' feelings, making meetings with parents more comfortable, helping parents to understand their child's problems, and learning resources available to parents. There is also a Spanish version of the publication.

Fairchild, T. N. (Ed.). Keeping in touch with parents: The teacher's best friend. Austin, Tex.: Learning Concepts, 1977.

This kit consists of a filmstrip, audio cassette, leader's guide, participant's manual, and book. It provides a 1-hour workshop for teachers, focusing upon the development of conference and communication skills as well as effective parent-teacher relationships.

Gordon, I. J., & Breivogel, W. F. Building effective home-school relationships. Rockleigh, N.J.: Allyn & Bacon, 1976.

This book describes the roles of various professionals in building good parent relations and includes information about the following: designing home-learning activities; selecting, recruiting, and training home visitors; and developing home/school programs.

Hunter, M., Schucmar, H., & Friedlander, G. The retarded child from birth to five: A multidisciplinary program for child and family. New York: John Day, 1972.

This book describes an approach toward providing a comprehensive program for young mentally retarded children and their parents.

Hymes, J. I. Effective home-school relations. Sierra Madre, Calif.: Southern California Association for the Education of Young Children, 1974.

This book is designed to help teachers develop better relations with parents. The following activities are discussed: group meetings, conferences, parent involvement in school activities, home visits, and written communications.

Klafter, M. B. Working with parents of the handicapped: A resource guide. King of Prussia, Pa.: Eastern Pennsylvania Regional Resources Center, 1979.

The materials listed in this guide can be used in at least three ways; i.e., for parent training, for direct parent use, and/or for professional training.

Kroth, R. L., & Simpson, R. L. Parent conferences as a teaching strategy. Denver, Color.: Love Publishing Co., 1977.

This book provides activities for building trust and sharing, communication skills, and techniques for evaluating and conducting parent/teacher conferences.

Lillie, D. L. Parent programs in child development centers: First chance for children. Chapel Hill: University of North Carolina, 1972. (ERIC Document Reproduction Service No. ED 067 798)

This book presents a collection of six articles dealing with various aspects of working with the parents of young hearing-impaired children. The topics discussed include: providing emotional support to parents, exchanging information, and planning parent involvement programs. A bibliography of parent program resources is included.

Losen, S. M., & Dument, B. Parent conferences in the schools: Procedures for developing effective partnership. Rockleigh, N.J.: Allyn and Bacon, 1978.

This book explores procedures for establishing partner relationships with parents in order to assist in the early identification of handicapped children. Included are the following topics: making contact, the evaluation and decision process, and overcoming parent defensiveness.

McCollum, A. T. Coping with prolonged health impairment in your child. Boston, Mass.: Little, Brown, & Co., 1975.

This book is an appropriate reference for parents of children afflicted with physical disorders lasting 3 months or more. It deals with behavioral, emotional, and social issues.

Noland, R. L. (Ed.). Counseling parents of the ill and handicapped. Springfield, Ill.: Charles C. Thomas, 1971.

This book provides information for those who counsel parents of seriously ill or handicapped children.

Rutherford, R. B., & Edgar, E. Teachers and parents: A guide to interaction and cooperation. Rockleigh, N.J.: Allyn & Bacon, 1979.

This book presents guidelines for strengthening the teacher's skills in working with parents. One section is devoted to issues related to parents of exceptional children.

Southwest Educational Development Laboratory. Parenting in 1977: A listing of parenting materials. Austin, Tex.: Author, 1977.

This bibliography lists titles of parenting materials in 15 subject areas, one of which is exceptional children.

Stewart, J. C. Counseling parents of exceptional children. Columbus, Ohio: Charles E. Merrill, 1978.

This text is designed for professionals. It discusses the application of basic counseling principles and procedures to parents of handicapped children.

ACTIVITY D-2

Research: "Hotlines" to Assist Parents of Handicapped Students

Objective: To learn about the agencies that provide assistance and publications to parents of handicapped students

Materials: Telephone or paper, envelopes, stamps

Procedure: Listed below are the names of agencies offering information, referral services, advocacy representatives, and publications dealing with topics of educational importance to the parents of handicapped students. For further information to guide you in directing parents to appropriate agencies, contact:

- Closer Look

The National Information Center for the Handicapped
P. O. Box 1492
Washington, D. C. 20013
(202) 833-4160

This agency assists parents in locating appropriate educational programs and special services for their handicapped child. Its information packet outlines procedures for dealing with various disabilities, and includes a list of special education personnel to contact at state boards of education.

- Coordinating Council for Handicapped Children

407 South Dearborn
Chicago, Ill. 60605
(312) 939-3513

The Council's purpose is to improve services to all handicapped children. It offers information and referral services to parents; assists them in obtaining diagnostic, therapeutic, and educational services; conducts parent-helper workshops; and publishes a variety of booklets and guides.

- Family Service Association of America (FSAA)
44 East 23rd Street
New York, N.Y. 10010
(212) 674-6100

FSAA, through its member agencies, provides counseling, family-life education, and advocacy services. It also has specialized service units that work with exceptional children.

- Parent Education Project
Special Education Department
School of Education
University of Louisville
Louisville, Ky. 40208
(502) 588-6426

This agency offers conferences and institutes for professionals, and educational courses for parents, regarding parent-school communication issues and behavior management. It has developed a quarterly parent newsletter, comprehensive modules for use by professionals with parents, and public service radio spots to alert the community to its referral "hotline" number.

A. General Provisions and Definitions

Purpose of Regulations (§ 121a.1)*

Applicability to State, Local, and Private Agencies (§ 121a.2)

Free Appropriate Public Education (FAPE) (§ 121a.4)

Handicapped Children (§ 121a.5)

Include (§ 121a.6)

NOTE: Subpart A covers the purposes and applicability of these Regulations and includes definitions of statutory and related terms.

The purpose of these Regulations is:

- to ensure that all handicapped children have available a Free Appropriate Public Education that includes special and related services to meet their needs;
- to ensure that the rights of handicapped children and their parents are protected;
- to assist states and localities to provide for the education of all handicapped children; and
- to assess and ensure the effectiveness of efforts to educate those children.

These Regulations apply to:

- each state that receives federal funds under P.L. 94-142;
- each public agency within the state that is involved in the education of handicapped children; e.g., state educational agency (SEA), local educational agency (LEA), departments of mental health and welfare, state school for the deaf, state correctional facilities; and
- each handicapped child who has been referred to or placed in private schools by a public agency.

Definition of Statutory Terms

The term "Free Appropriate Public Education" means special education and related services that:

- are provided at no cost to parents;
- meet standards set by the state;
- include preschool, elementary, and secondary school education in the state; and
- are provided as part of an Individualized Education Program (IEP).

The term "handicapped children" means children who are in need of special education and related services because they have been evaluated as:

- | | |
|-----------------------------------|---|
| • mentally retarded | • orthopedically impaired |
| • hard of hearing | • other health impaired |
| • deaf | • deaf-blind |
| • speech impaired | • multihandicapped |
| • visually handicapped | • having specific learning disabilities |
| • seriously emotionally disturbed | |

NOTE: See § 121a.5(b) for specific definitions for each handicap.

The term "include" means that items named are not all of the possible items covered, which may be like or unlike the ones named.

*The numbers in parentheses are the legal Section citations. They allow the reader to locate in the Regulations of Public Law 94-142 the exact wording of the Law regarding a specific term.

APPENDIX A

HIGHLIGHTS OF REGULATIONS IMPLEMENTING P.L. 94-142

THE EDUCATION FOR ALL HANDICAPPED CHILDREN ACT OF 1975



*Intermediate Educational
Unit (IU)*
(§ 121a.7)

The term "intermediate educational unit" is any public agency other than a school district which is supervised by the state, is established by state law to provide free public education on a regional basis, and provides special education and related services to handicapped children in the state.

*Local Educational Agency
(LEA)*
(§ 121a.8)

The term "local educational agency" (LEA) is a public board of education or other public authority that is recognized in a state as an administrative agency for its public elementary or secondary schools in a city, county, township, school district, or other subdivision—or a combination of school districts or counties. For the purpose of these Regulations, LEAs include intermediate educational units.

Native Language
(§ 121a.9)

Where used with reference to a person of limited English-speaking ability, "native language" means the language that person normally uses, or in the case of a child, the language his/her parents normally use.

NOTE: The Regulations allow for the following exceptions:

1. When there is a difference between the language used by the child and the parents, all direct communication with the child should be in the language he/she normally uses (an important consideration during the evaluation of the child). Similarly, all due-process communications addressed to parents should be in the language used by the parents.
2. When the child/person is blind or deaf or has no written language, the mode of communication should be that normally used by him/her (e.g., sign language, braille, or speech).

Parent
(§ 121a.10)

The term "parent" means a parent, a guardian, a person acting as a parent (e.g., a grandparent or stepparent with whom the child lives, as well as persons legally responsible for the child's welfare), or a surrogate parent appointed by a public agency.

Public Agency
(§ 121a.11)

The term "public agency" includes the state, school districts, intermediate educational units and other political subdivisions of the state responsible for providing education to handicapped children.

Qualified
(§ 121a.12)

The term "qualified" means that a person has met state-approved or recognized certification, licensing, registration, or other comparable requirements that apply to the area in which he or she is providing special education or related services.

Related Services
(§ 121a.13)

The term "related services" means transportation and such developmental, corrective, and other supportive services as are required to assist the handicapped child to benefit from special education. These services include:

- speech pathology and audiology
- psychological services
- physical and occupational therapy
- recreation
- early identification and assessment of disabilities in children
- counseling services
- medical services for diagnostic or evaluation purposes
- school health services
- social work services in school
- parent counseling and training

NOTE:

1. The list of related services is not exhaustive (i.e., services may also include such activities as artistic and cultural programs, art, music, and dance therapy).
2. Only those services deemed necessary to assist the child must be provided.
3. Other kinds of services might be provided by persons from varying professional backgrounds and with a variety of operational titles, depending upon requirements in individual states (e.g., counseling services might be provided by social workers, psychologists, or guidance counselors; and psychological testing might be carried out by qualified psychological examiners, psychometrists, or psychologists).

Audiology
(§ 121a.13(b) (1))

The term "audiology" includes:

- identifying children with hearing loss;
- determining the range, nature, and degree of hearing loss, including referral for medical or other professional attention for the habilitation of hearing;
- providing habilitative activities, such as language habilitation, auditory training, speech reading (lip-reading), hearing evaluation, and speech conservation;
- creating and administering programs for prevention of hearing loss;
- providing counseling and guidance of pupils, parents, and teachers regarding hearing loss; and
- determining the child's need for group and individual amplification; selecting and fitting an appropriate aid; and evaluating the effectiveness of amplification.

Counseling Services
(§ 121a.13(b) (2))

The term "counseling services" means services provided by qualified social workers, psychologists, guidance counselors, or other qualified personnel.

Early Identification
(§ 121a.13(b) (3))

The term "early identification" means carrying out a formal plan for identifying a disability as early as possible in the child's life.

Medical Services
(§ 121a.13(b) (4))

The term "medical services" means services provided by a licensed physician to determine the child's medically related handicapping condition which results in the need for special education and related services.

Occupational Therapy
(§ 121a.13(b) (5))

The term "occupational therapy" includes:

- improving, developing, or restoring functions impaired or lost through illness, injury, or deprivation;
- improving ability to perform tasks for independent functioning when functions are impaired or lost; and
- preventing, through early intervention, initial or further impairment or loss of function.

*Parent Counseling
and Training*
(§ 121a.13(b) (6))

The term "parent counseling and training" means assisting parents in understanding the special needs of their child and providing them with information about child development.

Physical Therapy
(§ 121a.13(b) (7))

The term "physical therapy" means services provided by a qualified physical therapist.

Psychological Services
(§ 121a.13(b) (8))

The term "psychological services" includes:

- administering psychological and educational tests, and other assessment procedures;
- interpreting assessment results;

- obtaining, integrating, and interpreting information about child behavior and conditions related to learning;
- consulting with other staff members in planning school programs to meet the special needs of children as indicated by psychological tests, interviews, and behavioral evaluations; and
- planning, managing and delivering a program of psychological services, including psychological counseling for children and parents.

Recreation
(§ 121a.13(b) (9))

The term "recreation" includes:

- assessing and providing leisure/extracurricular activities;
- providing therapeutic recreation services; and
- providing recreation programs in schools and community agencies.

School Health Services
(§ 121a.13(b) (10))

The term "school health services" means services provided by a qualified school nurse or other qualified person.

*Social Work Services
in Schools*
(§ 121a.13(b) (11))

The term "social work services in schools" includes:

- preparing a social or developmental history on the handicapped child;
- providing group and individual counseling for the child and family;
- working with problems in the child's environment (home, school, and community) that affect adjustment in school; and
- mobilizing school and community resources to enable the child to receive maximum benefit from his/her educational program.

Speech Pathology
(§ 121a.13(b) (12))

The term "speech pathology" includes:

- identifying children with speech and/or language disorders;
- diagnosing and appraising specific speech and/or language disorders;
- referring children for medical or other professional attention necessary for the habilitation of speech or language disorders;
- providing speech and language services for the habilitation or prevention of disorders of communication; and
- providing counseling and guidance of parents, children, and teachers regarding speech and language disorders.

Transportation
(§ 121a.13(b) (13))

The term "transportation" includes:

- providing for travel to and from school and among schools;
- providing for travel in and around school buildings; and
- furnishing specialized travel equipment (e.g., special or adapted buses, lifts, and ramps) as required for handicapped children.

Special Education
(§ 121a.14)

The term "special education" means specially designed instruction, at no cost to the parent, to meet the needs of the handicapped child.

Special education includes:

- providing classroom instruction;
- carrying out instruction in physical education;
- providing home instruction;
- providing instruction in hospitals and institutions;
- providing vocational education instruction; and
- providing related services as defined above.

Physical Education
(§ 121a.14(b)(2))

The term "physical education" means:

- developing physical and motor fitness;
- developing fundamental motor skills and patterns; and
- training skills in aquatics, dance, and individual and group games and sports (including intramural and lifetime sports).

Physical education includes:

- providing special physical education;
- providing adapted physical education;
- providing movement education; and
- fostering motor development.

Vocational Education
(§ 121a.14(b)(3))

The term "vocational education" means organized educational programs directly related to the preparation of individuals for paid or unpaid employment, or for additional preparation for a career requiring other than a baccalaureate or advanced degree.

Vocational education includes industrial arts and consumer and homemaking education programs.

State
(§ 121a.15)

The term "state" means each of the 50 states, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

Parental Consent
(§ 121a.500)

The term "parental consent" means that:

- the parent has been fully informed (in his/her native language or other mode of communication) of all information relevant to the activity for which consent is sought;
- the parent understands and agrees in writing to the activity for which consent is sought, and the consent describes that activity and lists the records (if any) which will be released and to whom; and
- the parent understands that the granting of consent is voluntary and may be revoked at any time.

Evaluation
(§ 121a.500)

The term "evaluation" means the use of specific procedures used selectively with an individual child to determine whether the child is handicapped and the nature and extent of the special education and related services that the child needs.

The term does not include basic tests administered to, or procedures used with, all children in a school, grade, or class.

Personally Identifiable Information (PII)
(§ 121a.500)

The term "Personally Identifiable Information" includes:

- the name of the child, the child's parent, or other family member;
- the address of the child;
- a personal identifier (e.g., the child's social security number or student number); and
- a list of personal characteristics or other information that would make it possible to identify the child with reasonable certainty.

Public Expense
(§ 121a.603(a)(3)(ii))

The term "public expense" means that the public agency either pays for the full cost of a service or ensures that the service is otherwise provided at no cost to the parent.

*Independent Educational
Evaluation
(§ 121a.503(a) (3) (i))*

The term "independent educational evaluation" means an evaluation conducted by a qualified examiner who is not employed by the public agency responsible for the education of the child being evaluated.

*At no Cost
(§ 121a.14(b) (1))*

The term "at no cost" means that special education programs and related services are provided without charge to the parent (including the cost of a residential school). This does not preclude, however, incidental fees normally charged to nonhandicapped students and their parents as part of the regular education program.

*Destruction of Information
(§ 121a.560)*

The term "destruction" when used in relation to education records means physical destruction or removal of personal identifiers from educational records so that information is no longer personally identifiable.

*Education Records
(§ 121a.560)*

The term "education records" means those records directly related to a student and maintained by an educational agency or institution or by a party acting for the agency or institution.

*Participating Agency
(§ 121a.560)*

The term "participating agency" means any agency or institution that collects, maintains, or uses Personally Identifiable Information covered by these regulations or any agency or institution from which such information is obtained.

*Individualized Education
Program (IEP)
(§ 121a.340)*

The term "Individualized Education Program" (IEP) means a written statement for each handicapped child that provides, among other things, a prescription for the specific special education programs and related services for each handicapped child.

**B. State Annual Program
Plans and Local
Applications**

NOTE: Subpart B includes specific requirements relating to:

- the contents of the state annual program plan which must be submitted annually and adhered to in order to receive funds under P.L. 94-142;
- the contents of LEA applications for use of funds under P.L. 94-142;
- participation by the Bureau of Indian Affairs, Department of Interior; and
- public participation prior to the state's adoption of an annual program plan.

C. Services

NOTE: Subpart C contains provisions governing the required major service components. These include:

1. Free Appropriate Public Education
2. Full Educational Opportunity Goal
3. Priorities in the use of Part B funds
4. Individualized Education Program (IEP)
5. Direct services by the state
6. Comprehensive system of personnel development

FAPE: Free Appropriate Public Education

*Time lines for Providing
Free Appropriate Public
Education (FAPE)
(§ 121a.300)*

The Regulations require that:

- by September 1, 1978, each state must ensure that Free Appropriate Public Education is available to all handicapped children ages 3 through 18; and
- by September 1, 1980 each state must ensure that Free Appropriate Public Education is available to all handicapped children ages 3 through 21.

*Public and Private
Residential Placement
(§ 121a.302)*

This requirement does not apply to age groups 3 through 5 and 18 through 21 if it is "inconsistent" with state laws and court orders governing the provision of free public education to handicapped children in that state.

If placement of a handicapped child in a public or private residential special education program is necessary, the program, including nonmedical care and room and board, must be provided at no cost to the parents.

This requirement applies only to placements that are made by public agencies for educational purposes, and includes placements in state-operated schools for the handicapped (e.g., state school for the deaf or blind).

*Proper Functioning of
Hearing Aids (§ 121a.303)*

Each public agency must ensure that the hearing aids worn by deaf and hard-of-hearing children in school are working properly.

*Full Educational
Opportunity Goal
(§ 121a.304)*

Each state must ensure that each public agency establishes and implements a goal of providing Full Educational Opportunity to all handicapped children served by that agency.

NOTE:

1. In meeting the Full Educational Opportunity Goal, LEAs are encouraged to include artistic and cultural activities in programs.
2. To understand the full impact of this provision, the distinction between the terms "Free Appropriate Public Education" and "Full Educational Opportunity Goal" is outlined below.

Free Appropriate Public Education:

- must be made available to all handicapped children within the specific mandated time lines and age ranges, and
- must include special education and related services provided in accordance with an IEP.

Full Educational Opportunity Goal:

- is an all-encompassing term and therefore broader in scope than Free Appropriate Public Education;
- covers all handicapped children ages birth through 21;
- includes a basic planning dimension (including making projections of estimated number of handicapped children);
- permits each agency to establish its own timetable for meeting the goal; and
- calls for the provision of additional facilities, personnel, and services to further enrich a handicapped child's educational opportunity beyond that mandated by the Free Appropriate Public Education requirements.

The term "goal" means an end to be sought. While an agency may never achieve its goal in the absolute sense, it must be committed to striving for the goal and must comply with the policies and procedures in the annual program plan. Finally, this provision DOES NOT relieve the agency from its obligations under the Free Appropriate Public Education requirement.

*Program Options
(§ 121a.305)*

Each public agency must ensure that handicapped children have available the variety of educational programs and services available to nonhandicapped children, including art, music, industrial arts, consumer and homemaking education, and vocational education.

*Provision of Nonacademic
Service (§ 121a.306)*

Each public agency must take steps to provide all handicapped children with an equal opportunity to participate in nonacademic and extracurricular services and activities.

Nonacademic and extracurricular services and activities may include:

- counseling services
- athletics
- transportation
- health services
- recreational activities
- special interest groups or clubs sponsored by the public agency
- referral to agencies that provide assistance to handicapped persons
- employment of students (including both employment by the public agency and assistance in generating outside employment)

*Physical Education
(§ 121a.307)*

Physical education services, either in the regular physical education program or in a specially designed physical education program, must be made available to every handicapped child receiving a Free Appropriate Public Education.

*Regular Physical
Education
(§ 121a.307b)*

Each handicapped child must be afforded the opportunity to participate in the regular physical education program available to nonhandicapped children unless:

- the child is enrolled full-time in a separate facility; or
- the child needs specially designed physical education, as prescribed in his/her IEP.

*Special Physical Education
(§ 121a.307(c))*

If a specially designed physical education program is prescribed, the public agency must provide the services directly or make arrangements for them to be provided through other public or private programs.

*Physical Education Services
in Separate Facilities
(§ 121a.307(d))*

If a handicapped child is enrolled in a separate facility, the public agency must ensure that the child receives appropriate physical education services.

Priorities in the Use of Funds Received Under P.L. 94-142

NOTE: The general intent of the provisions in this section is to require each state and LEA to establish priorities with regard to the use of funds received under P.L. 94-142.

*Priorities
(§ 121a.321 (d))*

Each state and school district must use funds received under P.L. 94-142 in the following order of priorities:

- first, to provide Free Appropriate Public Education to first-priority children (i.e., children not receiving any education), including their identification, location, and evaluation; and
- second to provide Free Appropriate Public Education to second-priority children (i.e., children with the severest handicaps who are receiving an inadequate education), including their identification, location, and evaluation.

*Programs for First Priority
Children During School
Year 1977-1978
(§ 121a.322)*

If a major component (e.g., qualified teacher of a first-priority child's education program) is not available for school year 1977-78, the public agency must:

- provide an interim program for the child; and
- develop an IEP for full implementation no later than September 1, 1978.

*Service to Other
Children
(§ 121a.323)*

*Application of Local
Educational Agency to
Use Funds for the Second
Priority (§ 121a.324)*

*State Responsibility
(§ 121a.341)*

*When an Individualized
Education Program Must
be in Effect
(§ 121a.342)*

*IEP Meetings
(§ 121a.343)*

Part B funds may be used for training or other support services by the state or LEA in school year 1977-78 only if all first-priority children in the state have been placed and have available at least an interim program of service.

If the state or LEA is providing FAPE to all its first-priority children, then P.L. 94-142 funds can be used to provide FAPE to:

- handicapped children who are not receiving any education and who are in age groups not covered in the state (e.g., 3 through 5 and 18 through 21); or
- second-priority children; or
- both these groups.

An LEA may use funds provided under Part B for second-priority children if it provides assurance satisfactory to the SEA in its application (or an amendment to its application) that:

- all first-priority children have a Free Appropriate Public Education available;
- the LEA has a system for the identification, location, and evaluation of handicapped children, as described in its application; and
- whenever a first-priority child is identified, located, and evaluated, the LEA makes available a Free Appropriate Public Education.

Individualized Education Program (IEP)

NOTE: The general intent of the provisions of this section is to ensure that an IEP is developed and implemented for each handicapped child who is being provided with special education and related services by a public agency (including other state agencies such as the departments of mental health and welfare) either directly, by contract, or through other arrangements.

The state must ensure that:

- each public agency develops and implements an IEP for each of its handicapped children, and
- an IEP is developed and implemented for each handicapped child who is placed in or referred to a private school or facility or is enrolled in a parochial or other private school and receives services from a public agency.

On October 1, 1977, and at the beginning of each school year thereafter, each public agency must have in effect an IEP for every handicapped child who is receiving special education from that agency.

An IEP must be in effect before special education and selected services are provided, and must be implemented as soon as possible (i.e., with no undue delay) following the IEP meetings.

NOTE: It is expected that an IEP will be implemented immediately following the IEP meetings, with the following exceptions:

1. when meetings occur during the summer or a vacation period; or
2. when there are circumstances requiring a short delay (e.g., working out transportation arrangements); however, THERE CAN BE NO UNDUE DELAY IN PROVIDING SPECIAL EDUCATION AND RELATED SERVICES TO THE CHILD.

In general, each public agency is responsible for initiating and conducting meetings for the purpose of developing, reviewing, and revising a handicapped child's IEP.

*Meetings for Newly
Identified Handicapped
Children (§ 121a.343(c))*

For handicapped children currently being served and in need of special education during school year 1977-78, a meeting must be held early enough to ensure the development of an IEP by October 1, 1977.

For all other handicapped children (i.e., new handicapped children initially evaluated after October 1, 1977), a meeting must be held within 30 calendar days after it has been determined that the child needs special education and related services.

*Review Meetings
(§ 121a.343(d))*

A meeting *must* be held at least once a year to review and, if appropriate, revise each child's IEP.

NOTE: The timing of these review meetings could be on the anniversary date of the last IEP meeting, but this is left to the discretion of the agency.

*Participants in IEP
Meetings
(§ 121a.344)*

The public agency must ensure that each IEP meeting includes the following participants:

- a representative of the public agency, other than the child's teacher, who is qualified to provide, or supervise the provision of, special education;
- the child's teacher;
- one or both of the child's parents;
- the child, when appropriate; and
- other individuals at the discretion of the parent or agency.

For a handicapped child who has been evaluated for the first time, the meeting must also include:

- a member of the evaluation team (e.g., speech-language pathologist for a child whose primary handicap is a speech impairment), or
- a representative of the public agency (e.g., the child's teacher or some other person) who is knowledgeable about the evaluation procedures used and familiar with the results of the evaluation.

NOTE:

1. For deciding which "teacher" or "other person" should participate in IEP meetings, the following guidelines are suggested:
 - For a child currently receiving special education, the teacher could be the child's special education teacher. If the child's handicap is a speech impairment, the teacher could be the speech-language pathologist.
 - For a child being considered for placement in special education, the teacher could be the child's regular teacher, or a teacher qualified to provide education in the type of program in which the child may be placed, or both.
 - For a child not in school or with more than one teacher, the agency may designate which teacher will participate in the meeting.
2. It is suggested that either the teacher or the agency representative be qualified in the area of the child's suspected disability.
3. It was the intent of Congress that IEP meetings be small, since a large group is often unproductive, costly, and adverse to the purpose of ensuring active, open parent involvement.

*Parent Participation
at the IEP Meetings
(§ 121a.345(a))*

To ensure that one or both parents of the child are present at each IEP meeting or are afforded the opportunity to participate, the public agency must:

- notify parents of the meeting early enough to ensure that they will have an opportunity to attend, and
- schedule the meetings at a mutually agreed on time and place (e.g., after school hours if necessary).

*Notice of IEP Meetings
to Parents
(§ 121a.345(b))*

*IEP Meeting
Without Parents
(§ 121a.345(d))*

*Interpreter for
Parents at IEP Meeting
(§ 121a.345(e))*

*Providing Copies of IEP to
Parents (§ 121a.345(f))*

*Content of the IEP
(§ 121a.346)*

*IEPs for New Private
School Placements
(§ 121a.347)*

*IEPs for Current Private School
Placements (§ 121a.347(a))*

*Reviewing and Revising
IEPs at Private Schools
(§ 121a.347(b))*

The notice to parents must indicate:

- purpose
- time
- location
- who will be in attendance

If neither parent can attend, the agency must use other methods to ensure parent participation, including individual or conference telephone calls.

An IEP meeting can be conducted without a parent if the agency has taken the necessary steps to inform the parent of the importance of the meeting, but cannot convince the parent to attend. In this case, the agency must keep a record of all attempts to arrange a mutually convenient time and place, such as:

- detailed records of telephone calls made or attempted and the results of those calls;
- copies of correspondence sent to the parents and responses received; and
- detailed records of visits to the parent's home or place of employment and the results of those visits.

The public agency must take whatever action is necessary to ensure that the parent understands the proceedings at a meeting, including arranging for an interpreter for parents who are deaf or whose native language is other than English.

Copies of a child's IEP must be made available to parents on request.

The IEP of each child must include:

- a statement of the child's present levels of educational performance;
- a statement of annual goals, including short-term instructional objectives;
- a statement of the specific special education and related services to be provided and the extent to which the child will be able to participate in regular educational programs;
- the projected dates for initiation of services and the anticipated duration of the services; and
- appropriate objective criteria and evaluation procedures and schedules for determining, on at least an annual basis, whether the short-term instructional objectives are being achieved.

Before a handicapped child is placed in or referred to a private school or facility, the public agency must:

- initiate and conduct a meeting to develop an IEP; and
- ensure that a representative from the private school or facility attends the meeting; if the representative cannot attend, other methods (e.g., individual or conference calls) must be used to secure participation.

An IEP must be developed for each handicapped child placed in a private agency prior to October 1, 1977.

After a child is placed in a private school or facility:

- meetings to review and revise IEPs can be initiated and conducted by the private school AT THE DISCRETION OF THE PUBLIC AGENCY, and
- the public agency must ensure that parents and an agency representative are involved in any decision about the IEP and agree to proposed changes before those changes take place.

*Responsibility for Full
Compliance with Regulations
(§ 121a.347(c))*

*Handicapped Children
in Parochial or Other
Private Schools
(§ 121a.348)*

*IEP Accountability
(§ 121a.349)*

*Use of Local Educational
Agency Allocation for
Direct Services
(§ 121a.360)*

The public agency and the state are responsible for ensuring that the private school or facility is in full compliance with these regulations.

If a handicapped child is enrolled in a parochial or other private school and receives special education or related services from a public agency, the public agency shall:

- initiate and conduct meetings to develop, review, and revise an IEP; and
- ensure that a representative of the parochial or other private school attends each meeting.

NOTE: If the private school representative cannot attend, the agency shall use other methods to secure participation by the private school, including individual or conference telephone calls.

If a child does not achieve the growth projected in the annual goals and the objectives stated in an IEP, NOTHING IN THE STATUTE OR IN THESE REGULATIONS HOLDS THE PUBLIC AGENCY, TEACHER, OR OTHER PERSON ACCOUNTABLE.

NOTE: The IEP is not a legally binding document. For that reason the public agency and teacher are relieved from the guarantee that the child will progress at the specified rate or achieve the growth projected in the IEP.

On the other hand, this section of the Regulations:

- does not relieve agencies from making "good faith efforts" to assist the child in achieving the objectives and goals stated in the IEP; and
- does not limit the parents' right to complain, ask for revisions, or invoke due-process procedures if they feel that good-faith efforts are not being made.

Since participation of teachers (and other agency staff) in IEP meetings is a statutory requirement, collective-bargaining agreements and individual annual contracts may have to be renegotiated to cover employee participation in the development and review of IEPs. However, for purposes of these Regulations, the collective-bargaining area is considered to be solely within the authority of the public agency and its employees (and their user representatives, if any); therefore, the area is not covered by the Regulations. Where collective-bargaining agreements must be modified to deal with additional duties and compensation for after-hour activities, the public agency must negotiate for modifications which comply with the Statute and Regulations.

An SEA may not distribute P.L. 94-142 funds to an LEA. The SEA shall use those funds to ensure Free Appropriate Public Education for all handicapped children residing in the LEA service area if the LEA, in any fiscal year:

- is entitled to less than \$7,500 for that fiscal year (beginning with fiscal year 1979);
- does not submit an application that meets the requirement of P.L. 94-142;
- is unable or unwilling to establish and maintain programs of Free Appropriate Public Education;
- is unable or unwilling to be consolidated with other LEAs in order to establish and maintain those programs; or
- has one or more handicapped children who can best be served by a regional or state center designed to meet the needs of those children.

In meeting the above requirements, the SEA may provide special education and related services directly, by contract, or through other arrangements.

The excess-cost requirements do not apply to the SEA.

*Scope of the Personnel
Development System
(§ 121a.380)*

*Participation of Other
Agencies and Institutions
in the Development, Review
and Annual Update of the
System (§ 121a.381)*

*Annual Personnel Needs
Assessment
(§ 121a.382(b))*

*In-service Training
(§ 121a.382(e))*

Comprehensive System of Personnel Development

NOTE: As a condition of receiving funds under P.L. 94-142, a state must include a description of programs and procedures for the development and implementation of a comprehensive system of personnel development in its annual program plan. The state is responsible for the implementation of all components of the system.

A comprehensive system must include:

- in-service training of general and special education instructional, related-services, and support personnel (based on the results of an annual needs assessment);
- procedures to ensure that all personnel involved in carrying out the requirements of these Regulations meet the definition of "qualified"; and
- effective procedures for acquiring and disseminating to special education teachers and administrators significant information derived from educational research, demonstration, and similar projects, and for adopting promising educational practices and materials developed through those projects.

The state must ensure that all its public and private institutions of higher education, and other agencies and organizations (including representatives of handicapped, parent, and other advocacy organizations) with an interest in the preparation of personnel to educate handicapped children, have an opportunity to participate fully in the development, review, and annual updating of the comprehensive system of personnel development.

The state must conduct an annual needs assessment to determine if it has a sufficient number of qualified personnel.

The result of the needs assessment must indicate the need for:

- new personnel
- retrained personnel

The state must ensure that ongoing in-service training programs are available to all personnel engaged in the education of handicapped children and that these programs include:

- the use of incentives that ensure participation by teachers (e.g., released time, payment for participation, options for academic credit, salary step credit, certification renewal, or updating professional skills);
- the involvement of local staff; and
- the use of innovative practices proven to be effective.

The state's annual program plan must:

- describe the process used in determining the in-service training needs of personnel engaged in the education of handicapped children;
- identify the areas in which training is needed (e.g., individualized education programs, nondiscriminatory testing, Least Restrictive Environment, procedural safeguards, and surrogate parents);
- specify the groups requiring training (e.g., special teachers, regular teachers, administrators, psychologists, speech-language pathologists, audiologists, physical education teachers, therapeutic recreation therapists, occupational therapists, medical personnel, parents, volunteers, hearing officers, and surrogate parents);
- describe the content and nature of training for each area in which training is needed;

*Personnel Development
Plan (§ 121a.383)*

- describe how the training will be provided in terms of (a) geographical scope (e.g., statewide, regional, or local) and (b) staff training sources (e.g., college and university staffs, SEA and LEA personnel, and non-agency personnel);
- specify the funding sources to be used;
- specify the time frame for providing the training; and
- specify procedures for evaluating the extent to which program objectives are met.

The state's personnel development plan must:

- describe the results of the needs assessment with respect to needed areas of training (e.g., IEPs, nondiscriminatory testing, Least Restrictive Environment, procedural safeguards, and surrogate parents);
- assign priorities to the needed areas of training; and
- identify the target populations for personnel development, including:
 - general education instructional personnel
 - special education instructional personnel
 - administrative personnel
 - support personnel
 - other personnel (e.g., paraprofessionals, parents, surrogate parents, and volunteers)

*Dissemination
(§ 121a.384)*

Each annual program plan must include a description of the state's procedures for acquiring, reviewing, and disseminating to general and special education instructional and support personnel, administrators, and other interested agencies and organizations (including parent, handicapped, and other advocacy organizations) significant information and promising practices derived from educational research, demonstrations, and other projects.

Dissemination includes:

- making those personnel, administrators, agencies, and organizations aware of the information and practices;
- carrying out training leading to the development of innovative programs and practices targeted on identified local needs; and
- using instructional materials and other media for personnel development and instructional programming.

*Adoption of Educational
Practices
(§ 121a.385)*

The state annually must:

- adhere to a statewide system for adopting, where appropriate, promising educational practices and materials proven effective through research and demonstration;
- conduct a thorough reassessment of educational practices used in the state; and
- identify state, local, and regional resources (human and material) which will assist in meeting the state's personnel-preparation needs.

*Evaluation and Monitoring
of the System of Personnel
Development
(§ 121a.386)*

The state annually must:

- ensure procedures for evaluating the overall effectiveness of the system of personnel development and the administrative procedures, and
- undertake monitoring activities to ensure the implementation of the system of personnel development.

*Technical Assistance to Local Edu-
cational Agencies (§ 121a.387)*

The state must provide technical assistance to LEAs in their implementation of the personnel-development system.

D. Private Schools

NOTE: Subpart D covers provisions governing the state's financial and administrative responsibilities related to:

1. handicapped children placed in or referred to private schools by public agencies, and
2. handicapped children whose parents choose to educate them in private schools even if a Free Appropriate Public Education is made available by the state.

Handicapped Children Placed in or Referred to Private Schools by Public Agencies

Each state must ensure that a handicapped child placed in or referred to a private school by a public agency:

- is provided special education and related services in accordance with the child's IEP, at no cost to the parents; and
- has all rights of a handicapped child who is served directly by a public agency in a public school or institution.

To ensure the implementation of a child's IEP and the protection of his/her rights, the state must:

- monitor compliance through on-site visits, parent questionnaires, and written reports;
- disseminate copies of applicable state standards to each private school; and
- provide an opportunity for private schools to participate in the development of state standards which apply to them.

Handicapped Children Placed in Private Schools by Parents

If the state makes a Free Appropriate Public Education available and parents choose to place their child in a private school, the public agency is not required to pay for that education. However, the state is still required to make special education and related services available.

The state must ensure that provisions are made for the participation of private school handicapped children in the education programs assisted by or carried out with Part B funds by making special education and related services available.

Each LEA must provide special education and related services to private school handicapped children residing in the jurisdiction of the LEA.

The needs of private school handicapped children, the number who will participate, and the types of services provided to them by the LEA must be determined after consultation with knowledgeable professionals.

Services to private school handicapped children may be provided through such arrangements as:

- dual enrollment
- educational radio and TV
- mobile educational service and equipment

The LEA may provide services to private school handicapped children which are different from services provided to public school handicapped children if:

Responsibility of States
(§ 121a.401)
(§ 121a.402)

Placement of Children
in Private Schools by Parents
(§ 121a.403)

Responsibility of State
(§ 121a.451)

LEA Responsibility
(§ 121a.452)

Determination of Needs,
Number of Children, and
Type of Services (§ 121a.453)

Service Arrangements
(§ 121a.454)

Differences in Services
(§ 121a.455)

Personnel
(§ 121a.456)

- the differences are necessary to meet the special needs of the private school children; and
- the services are comparable in quality, scope, and opportunity for participation to those provided to public school children with equal needs.

Public school personnel may be provided in other than public school facilities only to the extent necessary to provide required services not normally provided by the private school.

Each state and LEA providing services to private school handicapped children must maintain continuing administrative control and direction over these services.

Services provided in private schools with P.L. 94-142 funds may not include:

- payment of salaries to teachers or other employees of private schools except for services performed outside their regular hours and under public supervision and control, or
- payment for construction of private school facilities.

Equipment
(§ 121a.459)

Equipment purchased with P.L. 94-142 funds may be placed on private school premises for a limited time, but the public agency must retain title and administrative control over it.

The public agency must keep records of and accounts for the equipment and ensure that the equipment is used solely for the purposes of the program.

*Prohibition of Segregation
of Public and Private School
Children in Public Facilities*
(§ 121a.458)

Programs carried out in public facilities involving participation of both public and private school handicapped children may not include classes that are separated on the basis of school enrollment or religious affiliations of the children.

E. Procedural Safeguards

NOTE: Subpart E sets forth procedural safeguards including:

1. due-process procedures for parents and children relating to the identification, evaluation, and placement of a handicapped child;
2. protection in procedures used to evaluate the handicapped child;
3. procedures to ensure placement of handicapped children in the Least Restrictive Environment;
4. confidentiality of Personally Identifiable Information collected, maintained, or used by agencies; and
5. procedures of the U. S. Education Department for notifying the state of the following action:
 - disapproval of a state's annual program plan,
 - withholding payment from a state, and
 - waiving requirements regarding supplementary and supplanting Part B funds.

For the purpose of this document, the provisions related to the U. S. Education Department procedures are not covered.

Due-Process Procedures for Parents and Children

*General Responsibility of
Public Agencies* (§ 121a.501)

Each state must ensure that each public agency establishes and implements due-process procedures for parents and children that comply with these regulations.

*Parents' Right to Examine
All Education Records
(§ 121a.502)*

Parents of a handicapped child must be permitted to inspect and review all education records with respect to the identification, evaluation, and educational placement of their child and to the provision of a Free Appropriate Public Education.

*Parents' Right to Obtain
an Independent Educational
Evaluation (§ 121a.503)*

If parents of a handicapped child disagree with an evaluation of the public agency, they have the right to obtain an independent education evaluation at public expense.

If the parents obtain an independent evaluation at their own expense, the results of the evaluation:

- must be considered in any decision regarding the Free Appropriate Public Education of the child, and
- may be presented as evidence at a due-process hearing.

*Hearing Officer's Request
for an Independent Evaluation
(§ 121a.503(d))*

If a hearing officer requests an independent evaluation as part of a hearing, the cost must be at public expense.

*Prior Notice to Parents
(§ 121a.504(a))*

Parents of a handicapped child must be notified in writing "a reasonable time" before the public agency:

- proposes to initiate or change the identification, evaluation, or placement of the child, or provision of a Free Appropriate Public Education to that child; or
- refuses to initiate or change the identification, evaluation, or placement of the child, or provision of a Free Appropriate Public Education to that child.

*Content of Notice
(§ 121a.505)*

The notice must include:

- full explanation of all procedural safeguards available to the parents;
- a description of the action proposed or refused by the agency, an explanation of why the agency proposes or refuses to take the action, and a description of any options the agency considered and the reasons why those options were rejected;
- a description of each evaluation procedure, test, record, or report the agency used as a basis for the proposal or refusal; and
- a description of any other factors relevant to the agency's proposal or refusal.

The notice must be:

- written in language understandable to the general public; and
- provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so.

If the native language or other mode of communication of the parent is not a written language, the state or LEA must take steps to ensure that:

- the notice is translated orally, or by other means to the parent in his/her native language or other mode of communication;
- the parent understands the content of the notice; and
- there is written evidence that these requirements have been met.

*Parental Consent
(§ 121a.504(b))*

Parental consent must be obtained before:

- conducting a preplacement evaluation, and
- initial placement of a handicapped child in a program providing special education and related services.

Once the child is placed, any changes in his/her special education program are subject only to requirements covering prior notice and not to parental consent.

*Procedures Where Parent
Refuses Consent
(§ 121a.504(c))*

If a parent refuses consent, the public agency must:

- follow procedures of state law covering parental consent before evaluation (e.g., issue court order authorizing evaluation); or
- in the absence of an existing state law, follow due-process procedures described in these Regulations.

*Impartial Due Process
Hearing
(§ 121a.506)*

A parent or a public educational agency may initiate a hearing on matters regarding a public agency's proposed plan to initiate, change, or refuse the identification, evaluation, or educational placement, or provision of a Free Appropriate Public Education.

At the parent's request or when a hearing is initiated, the public agency must inform the parent of any free or low-cost legal services or other relevant services available in the area.

*Impartial Hearing Officer
(§ 121a.507)*

A formal due-process hearing must be conducted by an impartial hearing officer.

*Rights at a Hearing
(§ 121a.508)*

Any party to a hearing has the right to:

- be accompanied and advised by counsel and by individuals with special knowledge or training with respect to the problems of handicapped children;
- present evidence and confront, cross-examine, and compel the attendance of witnesses;
- prohibit the introduction of any evidence at the hearing that has not been disclosed to that party at least 5 days before the hearing;
- obtain a written or electronic verbatim record of the hearing; and
- obtain written findings of fact and decisions. (The public agency must transmit those findings and decisions, after deleting any Personally Identifiable Information, to the state advisory panel.)

Parents involved in hearings must be given the right to:

- have their child present, and
- have the hearing open to the public.

*Hearing Decision and
Right to Appeal
(§ 121a.509)*

A decision made by a hearing officer is final unless it is appealed by a party to the hearing.

Only a person who is a party to a hearing conducted by a public agency has the right to an administrative appeal conducted by the state.

*Administrative Appeal
Procedures—Impartial Review
(§ 121a.510)*

If there is an appeal, the state must conduct an impartial review of the hearing.

*Impartial Review Decision
and Right to Appeal
(§ 121a.510(c))*

The reviewing officer conducting the impartial review must:

- examine the entire hearing record;
- ensure that the procedures at the hearing were consistent with the requirements of due process;
- seek additional evidence if necessary;

Civil-Court Action
(§ 121a.511)

*Time lines and Convenience
of Hearings and Reviews*
(§ 121a.512)

*Child's Placement Status
During any Administrative
or Judicial Proceedings*
(§ 121a.513)

Surrogate Parents
(§ 121a.514)

*Responsibilities of a
Surrogate Parent*
(§ 121a.514(e))

- afford the parties an opportunity for oral or written argument, or both, at the discretion of the reviewing official;
- make an independent decision on completion of the review; and
- give a copy of the written findings and decision to the parties.

The decision made by the reviewing officer is final unless a person brings civil-court action.

A civil-court action may be brought by any person aggrieved by the hearing officer's decision who does not have the right to an administrative appeal or by any party aggrieved by the decision of a reviewing officer.

The public agency must ensure that not later than 45 days after the receipt of a request for a hearing:

- a final decision is reached in the hearing, and
- a copy of the decision is mailed to each of the parties.

The state must ensure that not later than 30 days after the receipt of a request for an impartial review:

- a final decision is reached in the review, and
- a copy of the decision is mailed to each of the parties.

A hearing or reviewing officer may grant specific time extensions beyond the periods specified above at the request of either party.

Each hearing and each review must be conducted at a time and place reasonably convenient to the parents and child.

The child must remain in his/her present educational placement pending any administrative or judicial proceeding unless:

- the public agency and the parents agree otherwise; or
- the complaint involves an application for initial admission to public school; in this case, the child, with the consent of the parents, must be placed in the public school program until the completion of all the proceedings.

NOTE: While the placement may not be changed, this does not preclude the agency from using its normal procedures for dealing with children who are endangering themselves or others.

Each public agency must ensure that the rights of a child are protected when:

- no "parent" can be identified;
- the whereabouts of a parent cannot be discovered after reasonable effort; or
- the child is a ward of the state.

If one of the above conditions exists, the public agency must assign an individual to act as a surrogate for the parents.

The surrogate parent may represent the child in all matters relating to:

- the identification, evaluation, and educational placement of the child; and
- the provisions of a Free Appropriate Public Education.

*Non-discriminatory Testing
and Evaluation Materials and
Procedures (§ 121a.530(b))*

*Preplacement Evaluation
(§ 121a.531)*

*Evaluation Procedures
(§ 121a.532)*

*Placement Procedures
(§ 121a.533)*

*Reevaluation
(§ 121a.534)*

Protection in Evaluation Procedures

NOTE: Each state must ensure that each public agency establishes and executes procedures that meet the requirements of this Section.

Testing and evaluation materials and procedures used for the evaluation and placement of handicapped children must be selected and administered so as not to be racially or culturally discriminatory.

Before a handicapped child is placed initially in a special education program, a full and individual evaluation of the child's educational needs must be conducted.

States and school districts must ensure, at a minimum, that the evaluation procedures listed below are adhered to:

- Tests and other evaluation materials shall be:
 - provided and administered in the child's native language or other mode of communication unless it is clearly not feasible to do so;
 - validated for the specific purpose for which they are used; and
 - administered by trained personnel in conformity with the instructions provided by their producer.
- Tests and other evaluation materials shall include those tailored to assess specific areas of educational need and not merely those designed to provide a single general intelligence quotient.
- Tests shall be selected and administered to ensure that the test results accurately reflect whatever factors the test purports to measure (e.g., the child's aptitude or achievement level) rather than reflecting the child's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure).
- No single procedure shall be used as the sole criterion for determining an appropriate educational program for a child.
- The evaluation shall be made by a multidisciplinary team or group of persons, including at least one teacher or other specialist with knowledge in the area of suspected disability.
- The child shall be assessed in all areas related to the suspected disability, including, where appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities.

In interpreting evaluation data and in making placement decisions, each public agency must:

- draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior;
- ensure that information obtained from all of these sources is documented and carefully considered;
- ensure that the placement decision is made by a group of persons, including persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; and
- ensure that the placement decision is made in conformity with the Least Restrictive Environment requirements.

If a determination is made that a child is handicapped and needs special education and related service, an IEP must be developed.

Each state and LEA must ensure that:

- each handicapped child's IEP is reviewed at least once annually, and
- a full evaluation of the child is conducted every 3 years or more frequently if conditions warrant or if the child's parent or teacher requests an evaluation.

*Least Restrictive
Environment
(§ 121a.550)*

*Continuum of Alternative
Placements Available
(§ 121a.551)*

*Least Restrictive
Placements
(§ 121a.552)*

*Nonacademic and Extra-
curricular Settings
(§ 121a.553)*

*Children in Public or
Private Institutions
(§ 121a.554)*

*Technical Assistance and
Training Activities
(§ 121a.555)*

Least Restrictive Environment

Each public agency must ensure that:

- to the maximum extent appropriate, handicapped children, including children in public or private institutions or other care facilities, are educated with children who are not handicapped; and
- special classes, separate schooling, or other removal of handicapped children from the regular educational environment occurs only when the nature or severity of the handicap is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

Each public agency must ensure that a continuum of alternative placements is available to meet the needs of handicapped children for special education and related services.

The continuum of alternative placements include (by order from least restrictive to most restrictive):

- instruction in regular classes
- special classes
- special schools
- home instruction
- instruction in hospitals and institutions

Provisions for supplementary service (e.g., resource-room or itinerant instruction) must also be made available in conjunction with regular class placement.

Each public agency must ensure that:

- each handicapped child's educational placement is determined at least annually, is based on his/her IEP, and is as close as possible to the child's home;
- various alternative placements are available to the extent necessary to implement the IEP;
- each handicapped child is educated in the school which he/she would attend if not handicapped unless the child's IEP requires other arrangements; and
- in selecting the Least Restrictive Environment, consideration is given to any potential harmful effect on the child or on the quality of services he/she needs.

Each public agency must ensure that each handicapped child participates with nonhandicapped children in non-academic and extracurricular services and activities (e.g., meals, recess periods, recreational activities, clubs, athletics) to the maximum extent appropriate to the needs of that child.

Each public agency must make arrangements with public and private institutions to ensure that, to the maximum extent appropriate, handicapped children are educated with nonhandicapped children and that the Least Restrictive Environment is selected for each handicapped child.

Each state must carry out activities to ensure that teachers and administrators in all public agencies:

- are fully informed about their responsibilities for implementing the requirements related to Least Restrictive Environments, and
- are provided with technical assistance and training necessary to assist them in their effort.

Confidentiality of Records

Notice to Parents Regarding Records (§ 121a.560(a))

The state must give adequate notice to inform parents fully about the state's policies and procedures to identify, locate, and evaluate all children who are handicapped, including:

- a description of the extent to which the notice is given in the native languages of the various population groups in the state;
- a description of the children on whom Personally Identifiable Information is maintained, the types of information sought, the methods the state intends to use in gathering the information (including the sources from whom information is gathered), and the uses to be made of the information;
- a summary of the policies and procedures which participating agencies must follow regarding storage, disclosure to third parties, retention, and destruction of Personally Identifiable Information; and
- a description of all the rights of parents and children regarding this information (including the rights under the Family Educational Rights and Privacy Act of 1974 and implementing regulations).

Publication of Notice (§ 121a.560(b))

Before any major identification, location, or evaluation activity, notice must be published or announced in newspapers or other media, with circulation adequate to inform parents throughout the state.

Access to Records— Right of Parents (§ 121a.562)

Each agency that collects, maintains, or uses education records must permit parents to inspect and review records relating to their child.

The agency must comply with a parent's request without unnecessary delay and before any IEP meeting or hearing, but in no case more than 45 days after the request.

A parent's right to inspect and review education records includes:

- the right to be given explanations and interpretations of the records;
- the right to request copies of the records; and
- the right to have a representative of the parent inspect and review the records.

An agency may presume that the parent has authority to inspect and review records relating to his/her child unless it has been advised that the parent does not have the authority under applicable state law governing such matters as guardianship, separation, and divorce.

Agency's Record of Access (§ 121a.563)

Each agency must keep a record of all parties obtaining access to education records (except parents and authorized employees of that agency), including the name of the party, date of access, and purpose.

Records on More than One Child (§ 121a.564)

If any education record includes information on more than one child, the parents of those children have the right to inspect and review only the information relating to their child or to be informed of that specific information.

List of Types and Locations of Education Records (§ 121a.565)

Each agency must provide parents on request a list of the types and locations of education records collected, maintained, or used by the agency.

Fees (§ 121a.566)

An agency may charge parents a fee for copies of records if the fee does not effectively prevent the parents from exercising their right to inspect and review those records.

An agency may not charge a fee to search for or to retrieve information.

*Amendment of Records at
Parent's Request
(§ 121a.567)*

A parent who believes that information contained in the child's records is inaccurate or misleading or violates the child's privacy rights has the right to request that the information be amended.

The agency has the right to decide whether to amend the information within a reasonable time after receipt of the request.

*Opportunity for a Records
Hearing (§ 121a.568)*

If the agency refuses the parent's request to amend the information, it must inform the parents of the refusal, advise them of their right to a records hearing, and, if requested, provide an opportunity for a hearing.

*Result of Records Hearing
(§ 121a.569)*

If, as a result of the hearing, the agency decides that the information should be amended, it must do so and inform the parents of its action in writing.

If the agency decides that the information should not be amended, it must inform parents of their right to place a statement in the record regarding reasons for disagreeing with the agency.

*Hearing Procedures
(§ 121a.570)*

A records hearing must be conducted according to procedures under the Family Education Rights and Privacy Act of 1974.

*Parental Consent and
Personally Identifiable
Information (§ 121a.571)*

Parental consent must be obtained before Personally Identifiable Information is:

- disclosed to anyone (unless authorized to do so under the Family Education Rights and Privacy Act), or
- used for any purpose other than meeting the requirement of these Regulations.

The state must include policies and procedures in its annual program plan which are to be used if a parent refuses to provide consent.

*Safeguards to Protect the
Confidentiality of Personally
Identifiable Information
(§ 121a.572)*

Each participating agency must protect the confidentiality of Personally Identifiable Information at collection, storage, disclosure, and destruction stages.

One official at each participating agency must assume responsibility for ensuring the confidentiality of Personally Identifiable Information.

All persons collecting or using Personally Identifiable Information must receive training or instruction regarding the state's policies and procedures to ensure confidentiality of Personally Identifiable Information.

Each participating agency must maintain a current list of the names and positions of employees within the agency who may have access to Personally Identifiable Information.

The public agency must inform parents when Personally Identifiable Information is no longer needed to provide educational services to the child.

*Destruction of Information
(§ 121a.573)*

If the parents request, all Personally Identifiable Information no longer needed must be destroyed except for the student's name, address, and telephone number, grades, attendance records, classes attended, grade level completed, and year completed; this latter data may be maintained permanently.

*Children's Rights
(§ 121a.574)*

The state must include policies and procedures in its annual program plan regarding the extent to which children are afforded rights of privacy similar to those afforded to parents, taking into consideration the age of the child and type or severity of disability.

NOTE: Under the Family Education Rights and Privacy Act of 1974 (45 CFR 99.4[a]) the rights of parents regarding records are transferred to the student at age 18.

<i>Enforcement (§ 121a.575)</i>	The SEA shall describe in its annual program plan the policies and procedures (including sanctions) which the state uses to ensure that its policies and procedures are followed and that the requirements and Regulations of P.L. 94-142 are met.
<i>F. State Administration</i>	NOTE: Subpart F covers provisions governing: ● the responsibility of the state for all education programs; ● the state's use of P.L. 94-142 funds for state's administration; and ● the establishment and functions of a state advisory panel on the education of handicapped children.
<i>Monitoring and Evaluation Activities (§ 121a.601)</i>	Each SEA shall undertake monitoring and evaluation activities to ensure compliance of all public agencies within the state. Each state shall develop procedures (including specific time lines) for monitoring and evaluating public agencies involved in the education of handicapped children. The procedures must include: ● collection of data and reports; ● conduct of on-site visits; ● audit of use of federal fund; and ● comparison of a sampling of individualized education programs with the programs actually provided.
<i>Adoption of Complaint Procedures (§ 121a.602)</i>	Each SEA shall adopt effective procedures for reviewing, investigating, and acting on any allegations of substance (made by public agencies, private individuals, or organizations) of actions taken by any public agency that are contrary to the requirements of P.L. 94-142. In carrying out these requirements, the SEA shall: ● designate specific individuals within the agency who are responsible for implementing the requirements; ● provide for negotiations, technical assistance activities, and other remedial action to achieve compliance; and ● provide for the use of sanctions.
<i>Establishment of a State Advisory Panel (§ 121a.650)</i>	Each state must establish a state advisory panel on the education of handicapped children. The panel must be composed of persons involved in or concerned with the education of handicapped children, and must include at least one representative from each of the following groups: ● handicapped individuals ● teachers of handicapped children ● special education program administrators ● parents of handicapped children ● state and local educational officials
<i>Advisory Panel Function (§ 121a.652)</i>	The state advisory panel must: ● advise the SEA of unmet educational needs of handicapped children within the state; ● comment publicly on the state annual program plan and related rules and regulations and the procedure for distribution of Part B funds; and ● assist the state in developing and reporting information and evaluations to be used by the Secretary of Education in evaluating the effectiveness of state efforts and the impact of programs.

*Advisory Panel
Procedure
(§121a.653)*

The panel must meet as often as necessary to conduct its business.

By July 1 of each year, the panel must submit and make public an annual report of its effectiveness and its suggestions to the state.

Official minutes must be kept on all meetings and made available to the public.

Interpreters and other necessary services must be provided at panel meetings. (The state may pay for these services.)

The panel must serve without pay, but the state must reimburse panel members for reasonable and necessary expenses for attending meetings and performing duties (e.g., travel and lodging expenses).

**G. Allocation of Funds
and Annual Report of
Children Served**

NOTE: Subpart G covers provisions governing:

1. the allocation of P.L. 94-142 funds to the state in accordance with the state entitlement formula (§121a.700a.710); and
2. the state's annual report of the number of handicapped children ages 3 through 21 served for allocation purposes (§121a.750-121a.754).

NOTE: Other Things to Know about Regulations Implementing P.L. 94-142

1. Relationship between Regulations Implementing P.L. 94-142 and Regulations Under Section 504 of the Rehabilitation Act of 1973

The Regulations under Section 504 of the Rehabilitation Act of 1973 (45 CFR Part 84; published at 42 FR 22675; May 4, 1977) deal with nondiscrimination on the basis of handicap, and basically require that recipients of federal funds provide equal opportunities to handicapped persons. Subpart D of the Section 504 Regulations (Preschool, Elementary, and Secondary Education) contains requirements very similar to those in the Regulations implementing P.L. 94-142.

However, Section 504 adds a new dimension to the federal requirements and enforcement regarding education for handicapped children. If a state or LEA does not apply for federal funds under P.L. 94-142, it need not meet the Act's requirements (such as submitting annual program plans or developing IEPs). However, since Section 504 prohibits discrimination against the handicapped, any state providing education to all normal children but not to all handicapped children would be *ipso facto* violating Section 504. As a result, the Education Department's Office for Civil Rights, the enforcement agency, could cut off all federal funds to the state. Therefore, even if a state decides not to take funds under P.L. 94-142, it still faces much the same requirements under Section 504.

2. Availability of Incentive Grants to States for Preschool Handicapped Children

Federal assistance to states is available under P.L. 94-142 for providing special education and related services to handicapped children ages 3 through 5. A state is eligible to receive a grant if its annual program plan has been approved by the Secretary of Education and if special education and related services are being provided to any handicapped child ages 3 through 5. Each handicapped child in this age group counted as being served will generate a \$300 entitlement.

3. Sanctions Imposed for Noncompliance with P.L. 94-142

Funds granted to a state under P.L. 94-142 will be cut off by the Secretary of Education if the SEA is in sub-

stantial noncompliance with any major requirement. In such an instance, the Secretary of Education must also cut off funds for programs specially designed for handicapped children under:

- Part A, Title I, Elementary and Secondary Education Act
- Title III, Elementary and Secondary Education Act
- The Vocational Education Act

The Secretary of Education may also order the state to cut off flow-through funds to a given LEA if it is found to be in noncompliance.

Arena, J. How to write an IEP. Published 1978 by Academic Therapy Publications, 20 Commercial Boulevard, Novato, Calif. 94947; (415) 883-3314.

This basic book contains lists to simplify the writing of goals and objectives, sequences in learning activities such as handwriting, and methods for instruction such as cross-age tutoring and learning stations. It briefly discusses tests and observations to assess learning skills, parent interviews, and due-process hearings.

Hagerty R., & Howard, T. How to make federal mandatory special education work for you. Published 1978 by Charles C. Thomas, Bannerstone House, 301-327 East Lawrence Avenue, Springfield, Ill. 62717; (217) 789-8980.

This book presents an overview of P.L. 94-142. It discusses funding models and monitoring by the SEA, the LEA and the identification of preprimary children, and the involvement of the parents. The authors suggest a further refinement of the definition of learning disabilities, allocations for in-service training, and increased personnel to teach "low incidence" handicapped students. The appendix lists key members of Congress, agencies concerned with handicapped pupils, and learning resource centers that help locate educational agencies to meet the 1980 mandate of providing programs for handicapped persons ages 3 through 21.

Meade, J. G. The rights of parents and the responsibilities of schools. Published 1978 by Educators Publishing Service, 75 Moulton Street, Cambridge, Mass. 02138; (607) 547-6706.

This book describes P.L. 94-142 and P.L. 93-112, or Section 504, in detail, focusing on implications for parents of handicapped children. The book includes full-text reprints of both laws along with guidelines to federal policy interpretations. There is a complete list of information centers on both national and state levels, along with associations serving specific handicapped populations. Also included is a bibliography of books and directories for parents and teachers complete with publisher listings. Topics addressed in a question-answer format include typical questions from teachers about the laws and questions on dyslexia from parents, teachers, and dyslexics. This is a good reference book for those who want to know how these laws and their amendments apply to specific cases.

National Learning Resource Center of Pennsylvania. An introduction to individualized education program plans in Pennsylvania: Guidelines for school age IEP development. Published 1977 by National Learning Resource Center of Pennsylvania, 443 South Gulph Road, King of Prussia, Pa. 19406; (215) 265-3706.

This basic guide presents sample forms and components for IEP development. It gives the process for determining present educational levels, setting annual goals, and setting short-term objectives. Most helpful are the sample IEPs for resource-room pupils, multiply handicapped students, speech students, hearing-impaired pupils, visually impaired children, and gifted students.

APPENDIX B

SELECTED ANNOTATED REFERENCES PERTINENT TO SPECIAL EDUCATORS AND P.L. 94-142



Schmid, R. E., Money Penny, J., & Johnston, R. Contemporary issues in special education. Published 1977 by McGraw-Hill, 1221 Avenue of the Americas, New York, N.Y. 10020; (212) 997-1221.

This is a collection of 36 articles in eight chapters. Each chapter has activities to help the reader meet the study-guide's objectives and prepare for the chapter's self-test. Chapters cover the following topics: the law and special education; parent/professional communication; discipline and classroom management; teaching techniques for the severely handicapped child; secondary education for the exceptional student, including vocational evaluation and work study; "mainstreaming"; and sex education for the retarded student.

Service Delivery

Bauer, H. Beyond instruction in special education. Published 1977 by Academic Therapy Publications, 20 Commercial Boulevard, Novato, Calif. 94947; (415) 883-3314.

This booklet outlines the professional competencies needed by special educators as their role is changed to that of consultants by P.L. 94-142. Topics include steps in the consulting process and a problem-oriented record-keeping system. An appendix summarizes the federal laws that pertain to records' privacy, classification, and destruction.

Bureau of Education for the Handicapped (Ed.). IEP: Developing criteria for the evaluation of individualized education program provisions. Published 1979 by Research for Better Schools (Attention: Special Projects Division), 444 North Third Street, Philadelphia, Pa. 19123; (215) 574-9300.

This compilation of articles centers on evaluation. It provides material from which objectives and goals may be extrapolated by the teacher and discusses the IEP from the orientation of the child regarding screening instruments, referral, diagnosis, and instructional procedures. The sequential process of IEP development is addressed. Sample IEP forms are provided.

Child Service Demonstration Center. Multi-media materials catalogue. Published by Child Service Demonstration Center, Hillside School, Route 3, Cushing, Okla. 74023; (918) 225-1882.

This catalog describing curricular materials for secondary learning-disabled students is written for professionals working with these students. The underlying premise is complete individualization to meet the needs of each student enrolled in the learning-disabilities resource room. The catalog is organized in sections by subject. Materials represent four major curricular areas: remedial, compensatory, affective and vocational. In addition, games, periodicals, and hardware are included. A separate section contains the professional materials and diagnostic tests used in such programs. There are 12 major categories within the catalog, each of which is further defined (e.g., reading contains comprehension, word-attack skills, rate, enrichment, etc.). Each entry provides the publisher, information on readability, interest level, and appropriate use.

Cunninggim, W., & Mulligan, D. Volunteers and children with special needs. Published 1979 by National School Volunteer Program (NSVP), 300 North Washington Street, Alexandria, Va. 22314; (703) 836-4880.

This resource manual contains a wealth of materials, information, ideas, and techniques for volunteers to use to help children and teachers. The materials represent the perspectives of many school volunteer

programs and innovative school district practices. Of the four chapters, the first gives an overview of the subject, and each of the remaining three discusses a particular training project. The programs include kindergarten screening, a listener program, and programs to build basic academic skills. The manual is color coded for various reader audiences (e.g., sections printed on white paper intended for school volunteer coordinators and school administrators, those printed on blue paper for school volunteers, etc.) Appendices include definitions of commonly used special education terms and NSVP information-bank entries.

Foster, C. D., Lewis, P.J., Tucker, D. J., Foster, R. W., & Gentry, B. Skill acquisition program bibliography. Published 1974 by Camelot Behavioral Systems, P. O. Box 3447, Lawrence, Kan. 66044; (913) 843-9159.

This extensive bibliography contains comprehensive evaluation information on approximately 1,300 commercial quality instructional programs for training handicapped individuals. The listing is organized according to behavioral objectives. The bibliography is designed to be used with the Camelot Behavioral Checklist, an evaluation instrument that identifies specific training objectives and provides a classification score corresponding to programs for changing specific behaviors. Used alone, this bibliography can serve as a resource tool for organizing teaching programs by behavioral objectives. Each included program has been evaluated on the following basis: that it be published, commercially available, behavioral, empirically validated, and appropriate for developmentally delayed individuals.

Foster, R. W. Camelot Behavioral Checklist. Published 1974 by Camelot Behavioral Systems, P. O. Box 3447, Lawrence, Kan. 66044; (913) 843-9159.

This checklist is designed for both administrative and programming needs. It allows the evaluator to identify specific training objectives for an individual and provide a summary or classification score directly based on these objectives. The checklist consists of 399 behavioral descriptions grouped into 40 subdomains, groups of behaviors seen as being similar. The subdomains are then grouped into 10 domains on the basis of similarity. After preliminary evaluation, using the checklist, appropriate training objectives may be selected to improve specific behavioral deficits. An explanatory manual accompanies the checklist.

Fox, R. L., Barron, M., & Schmuck, R. Diagnosing classroom learning environments. Published 1966 by Zeppelin/IBM Publications, Box 24284, Louisiana State University, Baton Rouge, La. 70893; (504) 272-6600.

This booklet presents many charts, lists, and questionnaires for use in assessing student behavior. They measure the learning climate, social relations, classroom norms, pupil-teacher interaction, outside influences, parental influences, and self-concept. The use of these tools in diagnosing a classroom is illustrated.

Maker, C. J. Providing programs for the gifted handicapped. Published 1977 by Council for Exceptional Children, 1920 Association Drive, Reston, Va. 22091; (703) 620-3660.

The book discusses the problems of defining and identifying the gifted handicapped in view of the research results on the use of standardized IQ tests. It discusses the development of a realistic self-concept, offers suggestions on how to identify these clients, presents programs that exemplify different educational approaches, and discusses specific methodology for the teacher. A section on agencies, organizations, resource people, and an annotated bibliography is included.

Pope, L., Tutor: A handbook for tutorial programs. Published 1976 by Book-Lab, 1449 Thirty-seventh Street, Brooklyn, N.Y. 11218; (212) 853-4140.

This manual is written for those wishing to set up a volunteer tutoring program. It is based on the author's experiences in setting up such a program at Coney Island Hospital in Brooklyn. The guidelines are for use in a school program but could easily be adapted to other situations. The well-designed manual is organized into three divisions: Part I is directed at program planners, describing the technical problems that tend to arise when setting up such a program and some background on how to train the tutors. Part II is an in-depth discussion on the tutor-training program and its goals. This section, for both program planners and the tutors who participate in the program, precisely describes the content of the training program. Part III is an appendix containing the numerous forms, press releases, letters, and questionnaires that keep a program running successfully and improve communication among participants and the community.

Schrag, J. A. Individualized Educational Programming (IEP): A child study team process. Published 1977 by Learning Concepts, 2501 North Lamar, Austin, Tex. 78705; (512) 474-6911.

This book is from the Mainstreaming Series using a cartoon format to describe the IEP process. It presents three levels of development: The child study team develops general goal statements; teachers develop specific objectives, resources, criteria for achievement, and completion date; and the child study team conducts annual review. The child study team's organization, training, and functions are discussed.

Schumaker, J. B., & Sherman, J. A. Managing behavior. Part 9: A home-based school achievement system. Published 1977 by H & H Enterprises, P. O. Box 1070-123, Lawrence, Kan. 66044; (913) 843-4793.

This manual provides a step-by-step guide to the use of the Daily Report Card Program. For children who are chronically truant, who lack social skills, or who are academically deficient, procedures must be found to remedy these difficulties. The Daily Report Card provides detailed information to parents regarding the child's classroom behavior. On the basis of this information, parents can award home privileges to those children whose academic and/or social performance improves. Parents and counselors (or other school staff) can form a team to use the Daily Report Card Program. A report card is carried by the child to each class, academic and social achievement is noted, and the report card is then taken home for parents, who review it and award points that can later be exchanged for privileges. In addition to providing a guide to the Daily Report Card Program, the book includes sample forms and a process for weaning the child away from the program once desirable results are maintained.

Teacher Training Task Force of the National School Volunteer Program/National Education Association. Handbook for teachers: Effective involvement of school volunteers. Published 1979 by National School Volunteer Program, 300 North Washington Street, Alexandria, Va. 22314; (703) 836-4880.

This handbook discusses the value of volunteers in the classroom. Volunteers are seen as the coworkers of teachers who accept them and give them appropriate guidance. Volunteers can help teachers with a variety of tasks and responsibilities, thereby allowing the teacher more time for students. The handbook outlines a step-by-step method for incorporating school volunteers into the classroom effectively. The appendices suggest ways that volunteers can assist in elementary and secondary classrooms, ways of orienting volunteers to the classroom, ways to show appreciation to the volunteer, and ways to evaluate volunteers. The information is useful for teachers who use volunteers as well as for those who are considering incorporating their services into the classroom.

Texas Education Agency. A resource guide for the determination of learning disabilities (Rev. ed.). Published 1980 by Texas Education Agency (Attention: Publication Distribution Office), 201 East Eleventh Street, Austin, Tex. 78701; (512) 475-2268.

This resource guide defines eligibility criteria for the determination of learning disabilities under P.L. 94-142. The guide is intended for use in Texas, but can be used by all special educational personnel with responsibility for assessing pupils' educational functioning. Areas covered by the guide include clarifying the concept of learning disabilities, determining the kind of data that must be collected in order to prove the presence or absence of a learning disability, developing data-collection procedures, and interpreting data. The role of the multidisciplinary team is outlined along with the importance of classroom observation, the need for valid assessment instruments, and the requirements for documentation of discrepancy between intellectual ability and academic achievement.

Materials for Use with
Severely/Profoundly
Impaired Students

Carrier, J. K., & Peak, T. Non-speech language initiation program (NON-SLIP). Published 1975 by H & H Enterprises, P. O. Box 1070, 946 Tennessee Street, Lawrence, Kan. 66044; (913) 843-4793.

This is a comprehensive teaching system for children who have previously failed to learn language through traditional verbal programs—children severely or profoundly retarded and having unusual difficulty getting started in learning communication skills. The kit includes a program manual, data sheets, sentence tray, plastic word-symbol chips, program instruction cards (for trainer), picture stimulus cards, and word cards (for those who have ability to read but not to communicate). There are 14 phases of training. The program is not designed to teach a child all that there is to know about communication; rather, it is designed to teach basic skills to prepare a child for entering other language programs.

Guess, D., Sailor, W., & Baer, D. M. Functional speech and language training for the severely handicapped (Parts 1-4). Published 1976-1978 by H & H Enterprises, P. O. Box 1070-123, Lawrence, Kan. 66044; (913) 843-4793.

This four-part language training program for the severely handicapped is designed primarily for those who lack language skills, whether they are called autistic, brain damaged, or profoundly retarded. The manuals eliminate the need for specialized facilities and can be used by teachers with little or no training in special education. Each manual consists of a series of individual training steps, 60 steps in total, which are categorized into the following content areas: Part I—persons and things, steps 1-9; Part II—actions with persons and things, steps 10-29; Part III—possession and color, steps 30-42; Part IV—size, relation, and location, steps 43-60. The manuals include examples of scoring forms and trials, with specific instructions in the techniques for conducting training sessions and for recognizing student progress. The program is prescriptive in organization yet flexible enough to meet individual student needs.

Harris, S. L. Managing behavior. Part B: Teaching speech to a nonverbal child. Published 1976 by H & H Enterprises, P. O. Box 1070-123, Lawrence, Kan. 66044; (913) 843-4793.

This book presents systematic reinforcement procedures to teach nonverbal children the skills necessary for functional speech. The language program is designed for use by parents, teachers, and others who work with children but who have little or no professional training in teaching handicapped learners to talk. Case reports are presented to clarify issues in the text. The techniques are presented in clear language in a step-by-step, easy-to-follow sequence. Areas covered by the book include implications of being nonverbal,

a summary of research in the field, use of behavior management, and the various stages of teaching the language program. Expectations of the program and suggestions for follow-up training conclude the book.

Panyan, M. C. Managing behavior. Part 4: New ways to teach new skills. Published 1972 by H & H Enterprises, P. O. Box 1070-123, Lawrence, Kan. 66044; (913) 843-4793.

This manual describes behavior-modification procedures for teaching self-help skills to mentally retarded individuals. It is designed for parents, teachers, attendants, nurses, and volunteers. The manual can serve as a guide to develop specific programs to teach additional self-help skills and to modify existing training programs. The manual is divided into six comprehensive sections that define and explain such topics as behavior and behavioral teaching strategies, success measurements, training sessions, self-help programs, and program design. A reference list of books, articles, and films on relevant behavior-modification issues is included.

Sontag, E., Smith, J., & Certo, N. Educational programming for the severely and profoundly handicapped. Published 1977 by Council for Exceptional Children (Attention: Division on Mental Retardation), 1920 Association Drive, Reston, Va. 22091; (800) 336-3728.

This edited book contains papers describing programs developed for severely and profoundly handicapped persons. The papers have been organized under topic headings, each of which falls into one of the following categories: services, teaching strategies, the educational team, public education, and community reintegration. The papers are written by educators, administrators, researchers, and professors in the fields of special education, child development, mental retardation, and rehabilitation. The book presents a wide range of topics of interest to those serving severely and profoundly handicapped individuals.

Striefel, S. Managing behavior. Part 7: Teaching a child to imitate. Published 1974 by H & H Enterprises, P.O. Box 1070-123, Lawrence, Kan. 66044; (913) 843-4793.

This manual presents a training program for developing motor skills in handicapped children. It is designed for parents, teachers, institutional workers, and therapists who may or may not be familiar with behavior-management principals, and can be used both inside and outside the classroom. The focus of the manual is to establish or improve the imitative skills of handicapped children so they can learn more complex social, speech, and motor skills. Flowcharts clearly outline program sequence, while review questions ensure proper teaching of each imitation phase. Major training areas include use of reinforcement, analysis of entry behaviors, selection of behaviors to be trained, training procedures for specific behaviors, overcoming problem areas, and criteria for advancing children to higher training levels.

Career/Vocational
Education

Belcher, J. & Field, F. (Producers). A different approach. Film. Published 1978 by South Bay Mayors' Committee for Employment of the Handicapped, 2409 North Sepulveda Boulevard, Suite 202, Manhattan Beach, Calif. 90266; (213) 545-4596.

This unique 22-min., 16 mm. film provides insight regarding the "plight" of handicapped people in our society. Comedy and several familiar Hollywood faces set the stage for a different and refreshing approach to the sensitive issue of equal employment opportunity for handicapped people. Three areas of concern

are explored throughout the film: breaking down the barriers of prejudice against handicapped people, encouraging the employment of handicapped people, and giving handicapped people a better self-image. The central theme is that handicapped workers are a valuable commodity; they may have certain limits, as does every individual, but are capable of productive employment. The film is well thought out, and the testimonies of employers, handicapped workers, nonhandicapped fellow employees, and actors/actresses explore feelings, misconceptions, and representation of handicapped people. It is highly unlikely that any other film about handicapped people deals with the subject of employability in quite this manner.

Brolin, D. (Ed.). Life centered career education. A competency based approach. Published 1978 by Council for Exceptional Children, 1920 Association Drive, Reston, Va. 22091; (703) 620-3660.

This curriculum guide presents 102 subcompetencies from making correct change to identifying personal values. Each competency is obtainable by using suggested activities to meet the objectives. Publication flexibility permits individualization by the "mainstreaming" teacher. A comprehensive section lists instructional materials, books, IEP forms, and rating forms.

Dahl, P. R., Appleby, J. A., & Lipe, D. Mainstreaming guidebook for vocational educators. Published 1978 by Olympus, 1670 East Thirteenth Street, Salt Lake City, Utah 84105; (801) 583-3666.

This book gives examples of curriculum modifications and lists specific guidelines for choosing instructional materials based upon learning style and type of exceptionality. Pictures illustrate equipment that modifies training devices (e.g., stand magnifiers, operating levers). A chapter covers job placement including job analysis and follow-up techniques.

Research for Better Schools. Is science a possible career for you? Published 1978 by Research for Better Schools (Attention: Special Projects Division), 444 North Third Street, Philadelphia, Pa. 19123; (215) 574-9300.

This science career development program is especially designed for deaf students in secondary schools. The materials include a teacher/counselor guide and captioned filmstrip that can be used as the basis of a 1-day career workshop with follow-up activities or as supplementary lessons to be integrated into a science curriculum. Three sections of activities comprise the program and incorporate the filmstrip of scientist role models. The first section helps students learn about their own interests and consider the role of scientific work in society. In the second section information about a variety of science careers is explored. The third section helps students actually explore what is required to pursue a particular science career.

In-Service

Clough, D. B., & Clough, B. M. Utilizing teacher aides in the classroom. Published 1978 by Charles C. Thomas, Bannerstone House, 301-327 East Lawrence Avenue, Springfield, Ill. 62717; (217) 789-8980.

This book presents skills the teacher needs to use teacher aides in the classroom: e.g., to delegate responsibility, to assign tasks, and to give constructive criticism. It suggests duties for the aide in and out of the classroom. The authors present forms to help in daily and weekly planning and forms for evaluation, give suggestions on skill development in the areas of individualizing reading instruction and use of multimedia, and distinguish between working with volunteer aides and paid aides.

Cunningham, W., & Mulligan, D. (Eds.). Volunteers and children with special needs. Published 1979 by National School Volunteer Program, 300 North Washington Street, Suite 320, Alexandria, Va. 22314; (703) 836-4880.

This manual contains training materials for three volunteer programs. The kindergarten screening includes a description of a prescreening program, the language-learning instrument, and activities to develop language. The listener program presents a description of a project to prevent emotional problems, a handbook of effective listening skills, and materials to administer the program. The tutoring program trains volunteers to understand how children feel as well as to teach them required skills.

Educational Products Information Exchange Institute. Teacher training in mainstreaming (EPIE Report Number 86m). Published 1978 by EPIE Institute, 475 Riverside Drive, New York, N.Y. 10027; (212) 866-3600.

This booklet reviews 15 sets of materials for regular classroom teachers that are relevant to "mainstreaming." A chart analyzes each set and its components into three areas of concern: individualized instruction (e.g., teaching styles, behavior management), handicapping conditions, and subject-matter areas. Each set of materials is reviewed on the basis of intent, content, methodology, and evaluation of trainees.

Hall, R. V. Managing behavior. Part 1: The measurement of behavior. Part 2: Basic principles. Part 3: Applications in school and home. Published 1971 by H & H Enterprises, P. O. Box 1070-123, Lawrence, Kan. 66044; (913) 843-4793.

These three publications of the Behavior Management series (nine books in the complete series) are designed to give practical help to those with clients displaying behavioral problems. The first book in the series explains how behavior is recorded and analyzed in order to effect changes. Various measurement techniques are explained in detail. The second book explains the theory underlying operant conditioning and explains how reinforcement, extinction, and punishment procedures are applied to human behavior. The third book contains examples of actual behavior-management projects carried out in home and school settings. Explanations of techniques used successfully to control behavior are given. Those who use the approaches outlined in the series can observe and measure as simply as possible the behaviors they wish to change. They then learn to use consequences naturally available in home or school to modify those behaviors.

Hall, R. V. & Fox, R. G. Responsive teaching and parenting transparency kit. Published 1973 by H & H Enterprises, P. O. Box 1070-123, Lawrence, Kan. 66044; (913) 843-4793.

This kit is an instructional tool for presenting the behavior-modification model developed by R. V. Hall, the Responsive Teaching and Parenting Model. The kit contains over 60 transparencies and an instructor's manual. It is designed for persons teaching the principles of behavior management to others. The four studies included in the kit illustrate the use of various measurement techniques, baseline, applications of reinforcement, extinction and punishment procedures, and other important behavior-management applications and procedures.

Indiana University Developmental Training Center. Assist. Published 1978 by Indiana University Developmental Training Center (Attention: Project ASSIST), 2853 East Tenth Street, Bloomington, Ind. 47405; (812) 337-6508 Ext. 25.

This student's book and teacher's guide addresses paraprofessionals who work with moderately, severely,

and profoundly handicapped children. It delineates duties, and trains the paraprofessional in such areas as classroom management; making behavioral observations; task analysis; and academic, physical, and social skills for specific handicaps. The book trains the teacher for his/her role as program manager, and is designed for preservice and in-service training.

Larrivee, B. Behavior management strategies for classroom application. Published 1978 by Research for Better Schools (Attention: Special Projects Division), 444 North Third Street, Philadelphia, Pa. 19123; (215) 574-9300.

This comprehensive in-service manual provides practical materials and suggested workshop procedures, including a master for handouts. The text is organized into four 2-hour training sessions: introduction to behavior management, basic intervention principles and procedures, reinforcement strategies and behavioral observation, sample programs and intervention strategies.

Martin, R. Workshop Materials: Educational Rights of Handicapped Children. Published 1977 by Research Press, Public Law Division, 2612 North Mattis Avenue, Champaign, Ill. 61820; (217) 352-3273.

This in-service training manual contains all the necessary materials for conducting a 1-1/2 day workshop on the law as it relates to the educational, civil, and residential rights of handicapped students. Topics addressed by workshop materials include sources of law, eligible children, Free Appropriate Public Education, IEP, Least Restrictive Environment, procedural safeguards, record keeping, and confidentiality.

Peter, L. J. Individual Instruction. Published 1972 by McGraw-Hill, 1221 Avenue of the Americas, New York, N.Y. 10020; (212) 997-1221.

This comprehensive text and its accompanying workbook provide a thorough knowledge of the individualization process. The materials have been highly effective for in-service and preservice programs. Topics addressed in the book include referral, observation, diagnostic teaching, terminal objectives, en route objectives, elicitors, reinforcers, concomitant development, evaluation, behavior disorders, and learning disorders.

University of Michigan, School of Education. Video training workshops on child variance. Published 1979 by Council for Exceptional Children, 1920 Association Drive, Reston, Va. 22091; Toll free (800) 336-3728.

This in-service training package contains all the necessary materials for five 2-hour workshops (i.e., six color videocassettes, leader's manual, student text, and activity sheets). Successful workshops have proven to be especially useful for teachers working with behavior-disordered children in the regular classroom. Fifteen examples of problem classroom behavior are recorded on one videocassette, with the other five presenting contrasting interpretations of such behaviors by experts in special education, psychology, sociology and medicine. The different theoretical views of behavior variance are reviewed within the six self-instructional modules of the student text. There is ample material provided to the workshop leader(s) for appropriate instructional management and supplementivities.

University of New Mexico. The training of paraprofessionals in special education and related fields. Published 1977 by University of New Mexico Press, Albuquerque, N.M. 87131; (505) 277-2346.

This book provides information on training for paraprofessionals in the United States by job title. It includes short-term in-service as well as long-term preservice programs. Most are affiliated with a community or junior college. Each description includes the role preparation, requirements for admission, student aid, staffing patterns, funding sources, evaluation, and dissemination. The book contains a list of publications available from the training programs and a bibliography of materials about training.

Wheeler, A. H. & Fox, W. L. Managing behavior. Part 5: A guide to writing instructional objectives. Published 1972 by H & H Enterprises, P. O. Box 1070-123. Lawrence, Kan. 66044; (913) 843-4793.

This book presents a system for writing instructional objectives based on the specification of educational outcomes. It is both a programmed text and a workbook to help teachers, administrators, and parents learn the principals of instructional-objective design. The book defines all terms applying to the educational process and instructional programming. The design for writing instructional objectives is outlined: to describe the desired final outcome of instruction, to state the conditions under which the final behavior will occur, and to specify the criteria by which the final performance is judged. Teachers can use the instructional programming system to ensure basic skill development and thus demonstrate expected student performance changes.

Mainstreaming/Least Restrictive Environment

American Foundation for the Blind. Good start! A multimedia approach to meeting the needs of visually handicapped students. Published 1979 by American Foundation for the Blind (Attention: Film Librarian), 15 West Sixteenth Street, New York, N.Y. 10011; (212) 620-2000.

This is a multimedia package about "mainstreaming" visually handicapped students. It contains one 19-min., 16 mm., color film; six 12-min. color filmstrips with accompanying audiotapes; and supplementary materials, including four pamphlets, one book, charts, reports, and printed activities. LEAs, special education personnel, parents, and all persons involved in "mainstreaming" visually impaired students can benefit from this comprehensive program. The film and one of the filmstrips are designed for general audience viewing. They provide information about visual handicaps, required support services, mobility techniques, and assistance methods that sighted individuals can offer. The remaining filmstrips, tapes, and printed materials are geared toward more specific audiences (e.g., One in a Thousand for school administrators, So You're Going to Have a Visually Handicapped Child in your Class for classroom teachers, and Best Education Possible for parents). The media presentations are based on real-life situations and use school students and personnel.

Bureau of Education for the Handicapped (Ed.). LRE: Developing criteria for evaluation of the least restrictive environment provision. Published 1979 by Research for Better Schools (Attention: Special Projects Division), 444 North Third Street, Philadelphia, Pa. 19123; (215) 574-9300.

This is a compilation of articles reviewing the content of P.L.94-142 in terms of the Least Restrictive Environment. It discusses aspects of placement such as teacher expectations, quality and restrictiveness; provides a chart displaying points of weakness and strength in written IEPs; and presents forms for decision making in Least Restrictive Environment placements.

Consilia, Sr. M. The non-coping child. Published 1978 by Academic Therapy Publications, 20 Commercial Boulevard, Novato, Calif. 94947; (415) 883-3314.

This comprehensive notebook provides techniques for diagnostic and prescriptive teaching. It contains an explanation of the physical relationship between sensation, perception, conceptualization, and the health of the child who has been labeled (e.g., minimally brain damaged, dyslexic). An extensive section on teacher assessments deals with such skills as auditory perception, body image, visual discrimination, and word recognition. Innumerable remediation activities are suggested for language and math. Included is a chapter on strategies for modifying classroom behavior.

Family Communications. I am, I can, I will. Published 1979 by Hubbard, P.O. Box 104, Northbrook, Ill. 60062; (312) 272-7810.

This is a multimedia program designed to help teachers of very young children, preschool through first grade, explore and discuss the feelings and fears common to this age. Based on Fred Rogers' (of "Mr. Rogers' Neighborhood" TV series) style of communicating with young children, the programs are intended to develop self-esteem, motivation, emotional and perceptual skills, language and listening skills, creative thinking, and imagination. The program includes 15, 16-mm. color films or videotapes, each 13 to 20 min.; 15 audiocassettes; 2 "suggestions for use" guides; and 5 books. These programs are nonsequential and can be used with an entire classroom or on a one-to-one basis. There are two levels to the film portion of the program: Level I for those children who are very young or have below-average language skills and Level II for those children with average or above-average language skills. These two levels focus on children's feelings, emotions, and interpersonal relationships. The audiocassettes and books deal more specifically with handicapping conditions while encouraging children to explore, understand, and express their feelings and be sensitive to others. The entire program is a wonderful vehicle for use in both "mainstream" classroom situations and special education class settings.

Jordan, J. B. (Ed.) Teacher, please don't close the door. Published 1976 by Council for Exceptional Children, 1920 Association Drive, Reston, Va. 22091; (703) 620-3660.

This is a report from the Council for Exceptional Children's Invisible College Conference on Mainstreaming. The concept of an "invisible college" can be thought of as the 10 to 20 leaders who are believed to be at the top of a particular field. Because these people are on the cutting edge of new information, procedures, and practices, their participation at conferences should reduce the gap between research results and implementation. Each chapter is a presentation about an area of concern addressed by the conference participants (e.g., "The Resource Teacher," "Higher Education's Role in Mainstreaming," "The Rural Mainstream," "Progressive Inclusion," etc.). The book defines "mainstreaming" as enrolling and teaching exceptional children in a regular classroom for the majority of the school day. This publication is intended to help open the classroom door for the mildly handicapped, as well as widen the educational opportunities for all.

Miami Valley Regional Center for Handicapped Children. Kids, mainstreaming, and you. Filmstrip. Published 1979 by The Kids Come in Special Flavors Company, Box 562, Forest Park Station, Dayton, Ohio 45405; (513) 253-6173.

A 16-min. color and sound filmstrip illustrates the intent of "mainstreaming." It uses a cartoon format and nontechnical language so that regular classroom teachers, parents, and community groups can understand "mainstreaming." The filmstrip is divided into three parts, enabling the special educator to show it in its entirety or in sections. The first part emphasizes children and their educational needs; the second part covers school district responsibilities and stresses team decision making, and the last part reveals the mutuality that should occur between teaching and support services.

Moore, G. T., Cohen, W., Oertel, G., & van Ryzin, L. Designing environments for handicapped children: A design guide and case study. Published 1979 by Educational Facilities Laboratories (A Division of Academy for Educational Development), 680 Fifth Avenue, New York, N.Y. 10019; (212) 397-0044.

This guide offers an integrated approach combining research and behavioral/social/cultural factors for the planning and architectural design of play/learning environments for handicapped children. The types of handicaps and developmental disabilities discussed with regard to the physical environment include mental retardation, learning disabilities, and orthopedic handicaps with other developmental or learning-disability involvement. The guide is organized into three sections. Section 1 defines and discusses the range of disabilities covered, reviews relevant current literature, and describes how to use the guide. Section 2 discusses the influence of the physical environment in the development of handicapped children and presents 14 design principles. Section 3 provides a case study showing how to apply the design principles to a specific situation. The importance of the physical environment to the overcoming of developmental problems is clearly demonstrated.

National Learning Resource Center of Pennsylvania. Placing handicapped students in the least restrictive environment: A model for decision makers. Published 1979 by National Learning Resource Center of Pennsylvania, 500 Valley Forge Plaza, 1150 First Avenue, King of Prussia, Pa. 19406; (215) 265-3706.

This book suggests an approach for determining Least Restrictive Environment placements for students requiring special education and related services. The book is written from the point of view of Pennsylvania's compliance with federal and state regulations, but much of the information can be used by any SEA to identify and organize the types of information required for a systematic Least Restrictive Environment decision-making process. The book is concisely organized into three sections. Section I describes the information to consider when making placement decisions and presents an application model. Section II provides an overview for compliance with the Least Restrictive Environment mandate. Section III gives examples of student cases to demonstrate the use of the decision-making system outlined in Section I. The book clearly reveals how LEAs can plan for a continuum of alternative placements to meet the needs of handicapped students.

Togg Films. Mainstreaming in Action. Film. Published 1979 by Encyclopedia Britannica (Attention: Customer Service), 425 North Michigan Avenue, Chicago, Ill. 60611; (312) 321-6800.

This is a 25-min., 16-mm. color film with an accompanying users' guide. Special educators can use the film with regular classroom teachers, parents, and advocacy groups to stimulate discussion about "mainstreaming" and its impact on children with regard to Least Restrictive Environment placement issues and in-service education. The film takes place in public schools where a wide variety of handicapped children are integrated into the regular classroom. Discussion of key issues and commentary by teachers interviewed comprise the audio content.

WGBH Television Network. Martha. Film. Published 1978 by Films, 733 Green Bay Road, Wilmette, Ill. 60091; (312) 256-3200 or Toll-free (800) 323-4222.

Martha is an 8-min., 16-mm. (also available in videocassette or disc), color film with accompanying teacher's guide. The film introduces the viewer to Martha, a young woman who has epilepsy. The purpose of the film is to demonstrate that persons who have epilepsy can indeed lead an active, normal life. Martha is shown ice-skating, sled-riding, volunteering in a hospital, and sharing feelings with her friends. The film sensitively tries to incorporate positive attitudes toward epilepsy and the personal adjustment problems experienced by epileptics.

WGBH Television Network. People you'd like to know. Film. Published 1978-1979 by Encyclopedia Britannica (Attention: Customer Service), 425 North Michigan Avenue, Chicago, Ill. 60611; (312) 321-6800.

This informative series is available in film or book format (entitled People You'd Like to Know Books). There are 10, 10-min., 16-mm. color films that portray children between the ages of 11 and 14 who have handicapping conditions. The series of 10 books, similar in content and format, was written for use with the films, but can be used independently. Designed to help students, teachers, parents, and the general public become acquainted with the problems of handicapped youngsters as they become integrated into normal educational settings, the series reveals the feelings and attitudes of these children. There is one child identified with each of the following disabilities: learning disability, hearing and speech impairment, blindness, cystic fibrosis, Down's syndrome, Larsen's syndrome, cleft lip and palate, low vision, emotional disturbance, and amputation. Each handicapped child is portrayed in situations that involve teachers, friends, and families. The episodes demonstrate the importance of self-acceptance and the need to become independent.

Wiederholt, J. L., Hammill, D. D., & Brown, V. The resource teacher. Published 1978 by Allyn Bacon, 470 Atlantic Avenue, Boston, Mass. 02210; (617) 482-9220.

This notebook provides practical information for individualized content development (based on cognitive and affective analyses) in the areas of mathematics, written expression, spelling, and spoken language. Various methods of evaluation are covered, including types of standardized tests and supplementary teacher-testing techniques. A chapter on classroom behavior presents specific measures for analyzing student behavior and ways to modify it.

Handicapped/Nonhandicapped Peer Relations

Encyclopedia Britannica Educational Corporation (Producer). Like you, like me. Film. Published 1977 by Encyclopedia Britannica (Attention: Customer Service), 425 North Michigan Avenue, Chicago, Ill. 60611; (312) 321-6800.

The 10 animated color films, ranging in showing time from 6-7 minutes, show handicapped and nonhandicapped elementary school students learning to relate to and to understand each other. Each film is geared toward a specific handicap. Feelings about handicapped children are aired, and acceptance of handicaps is demonstrated by seeing a handicapped student perform normally; e.g., being a good kickball player. Following is a list of the film titles and subjects: Let's Talk It Over is about epilepsy; Let Me Try describes mental retardation; Let's Be Friends talks about emotional disturbance; Doing Things Together deals with a child who has a prosthetic hand; Everyone Needs Some Help explores hearing and speech impairments; See What I Feel explains visual impairment; When I Grow Up looks at career aspirations; Why Me looks at children who wear double braces; It's Up to Me shows what asthma is like; and I Can Do It tells about an orthopedic condition. These films can be used in the classroom to help students better understand others with handicaps.

Family Communications (Producer). Purple Adventure of Lady Elaine Fairchilde. Film. Published 1979 by Hubbard, P. O. Box 104, Northbrook, Ill. 60062; (312) 272-7810.

An enchanting series of five 24-29 min., 16mm. films or videotapes that sensitively presents a delightful program for preschool through first-grade children designed to foster discussions about handicapping conditions and individual differences. Using the characters created in the popular Mr. Rogers TV series,

Lady Elaine embarks upon an adventure to a purple planet. Mr. Rogers features his songs and conversations to help young viewers form positive ideas about individual differences and change. The references to particular handicaps provide honest, appropriate ways to initiate classroom discussions.

Glazzard, M. H. Meet series (Vols. 1-4). Published 1978 by H & H Enterprises, P. O. Box 1070-123, Lawrence, Kan. 66044; (913) 843-4793.

Each book in this series is written about a child with a handicapping condition. The books are printed in large easy-to-read type and have accompanying recordings. The books are designed to teach nonhandicapped children some things they can do to understand and help handicapped children. Prejudice and labeling are often the result of a lack of understanding handicaps, and it is the intention of this series to show readers how to relate to persons with handicaps. Meet Scott is about a child with a learning disability; Meet Camille and Danille is about two children with hearing impairments; Meet Lance is about a mentally retarded child; and Meet Danny is about a child with multiple handicaps.

Hubbard, R. (Producer). Special delivery. Film. Published 1979 by Lawren Productions, P. O. Box 666, Mendocino, Calif. 95460; (707) 937-0536

A delightful five-part 16mm. film videocassette series with a separate accompanying package of printed teaching materials designed to address "mainstreaming" concerns. Viewing time for each part is approximately 30 min. Special Delivery was designed for a viewing audience of 7 through 11 years; however, children up to 13 and 14 years could benefit from the message. The shows are appropriate for helping teachers to integrate handicapped children into the total school environment. The series explains to regular classroom students how to understand handicapped peers and how to work, play, and interact with them; it is wonderfully successful in its approach. Bill Baird's puppets combined with well-thought-out dramas allow viewers to experience a variety of information, feelings, and perspectives regarding children of their own age displaying various problems. The call for sensitivity toward and an acceptance of children with special needs is successfully conveyed. Within the series The Common Show emphasizes that even though people may be different in certain ways, they still have feelings, interests and abilities in common. The Special Show gives the perspective of people with various handicaps. The Why Show explains the causes of some handicaps and shows what can be accomplished by handicapped people. The Positive Show demonstrates the abilities of people with handicaps. The Reinforcement Show emphasizes positive interactions of handicapped persons with nonhandicapped peers. The printed materials accompanying the film/videocassette series include lesson plans, instructional resources, ideas for teachers, and student activity pages that can be reproduced for class distribution. Production quality is excellent. Combining the series with follow-up discussions in the classroom should provide a rewarding approach to a topic that has long needed more than a casual documentary.

WGBH Television Network. What if you couldn't . . . ? Published 1978 by Selective Educational Equipment, 3 Bridge Street, P. O. Box 98, Newton, Mass. 02195; (617) 969-3339.

This multimedia kit gives elementary school children information about handicapped children and adults. It presents a nonthreatening, straightforward picture of what it might be like to have a disability (i.e., visual impairment, hearing impairment, orthopedic handicap, learning disability, emotional problem, and mental retardation). The kit is divided into seven major areas: A beginning unit examines differences and similarities among all children, and the remaining six give information, simulation experiences, and problem-solving activities on the six specific disabilities. The information is realistic and answers questions that can prevent or correct common misconceptions. The book stresses that handicapped persons are people first.

Bennett, L. M., & Henson, F. O. Keeping in touch with parents: Teacher's best friends. Published 1977 by Learning Concepts, 2501 North Lamar, Austin, Tex. 78705; (512) 474-6911.

This book in a cartoon format from the Mainstreaming Series discusses communication skills the teacher should acquire, such as listening, "reading" nonverbal clues, and learning about the child's environment. It suggests preparing for a meeting with a parent by having cumulative data and examples of the child's work. The book also presents systems for indirect communication, such as daily progress reports and certificates; discusses teaching parents how to use a behavior-change program by emphasizing the immediacy and frequency of rewards; and provides an overview of behavior-change techniques in a programmed format.

Hymes, J. I. Effective home-school relations. Published 1974 by Southern California Association for the Education of Young Children (Attention: Publishing Division), Box 691, Sierra Madre, Calif. 91024; no phone listing available.

This book analyzes the hidden agendas of parents who come to meetings with good or bad school experiences and of teachers who are heavily invested in the school process. It discusses techniques for different types of meetings, home visits, parent observations and participation, and the need for contact with the parent from the birth of the child. Inexpensive pamphlets pertinent to parenting are listed, as are questions for evaluating the process.

Kroth, R. L. Communicating with parents of exceptional children. Published 1975 by Love Publishing Co., 6635 East Villanova Place, Denver, Colo. 80222; (303) 757-2579.

This book suggests several preconference tasks: evaluate cumulative records; augment with information from early parental contacts; develop a list of skill techniques; and prepare observable information using the Q-sort record form. Further recommendations are to provide information for the parent by preparing parent packets on classroom rules and supplies, and handouts on specific situations such as class trips; and report to parents through use of a daily reporting system, a letter, or certificate. Also discussed is a home-reward system based on school reports. The strategy of learning to define the problem and the appropriate reinforcers and then training parents to do the same is presented. The structure of parent-training groups is described. A bibliography lists books for parents by exceptionality.

Losen, S. M., & Beamient, B. Parent conferences in the schools: Procedures for developing effective partnership. Published 1978 by Allyn & Bacon, 470 Atlantic Avenue, Boston, Mass. 02210; (617) 482-9220.

This book focuses on the need for parents and schools to cooperate as equals. It discusses specific skill development for different types of parent conferences: initial contact, exploratory conference to gain more information, reporting of test results, arranging for special placements, and reporting progress. Also addressed are skill variables such as appropriate timing of exploratory questions, interpretive comments, and humor. It suggests how to identify and respond to parents' resistance and defenses. The book analyzes the stages in parent conferences: opening, exploratory, problem solving, and concluding; provides training exercises to acquire these skills; and discusses parents' rights under P.L. 94-142.

Montgomery County Intermediate Unit #23. Partners in education in-service training manual. Published by Montgomery County Intermediate Unit #23, 6198 Butler Pike, Blue Bell, Pa. 19422; (215) 643-7600.

This notebook contains agendas for a 6-day workshop in developing IEPs. Designed for parents and teachers, the workshop covers P.L. 94-142 provisions, definitions of educational terms, due-process considerations, assessment methods, and examples of IEPs. Activities designed to encourage parent-teacher communications include discussions of critical incidents during conferences and forms to promote better classroom observation by parents.

University of Idaho, College of Education. Parent-teacher conferences. Filmstrip. Published 1980 by Foreworks, Box 9747, North Hollywood, Calif. 91609; (213) 982-0467.

This 15-min. combination color filmstrip/tape presentation was developed to improve communications between parents and teachers. The premise underlying it is that parent-teacher conferences often lack successful interaction. The film briefly touches on issues relevant to parents of exceptional children, and then discusses specific ways in which parent-teacher relations can be improved. Each of six sections within the filmstrip presents a specific topic: traditional conferences, need for improved communication, parents of exceptional children, purposes of parent-teacher conferences, interpersonal communication skills, and steps in the process.

A

Accessibility, 4
Accountability, 11, 52
Appropriateness, 5, 9
Architectural and Transportation
Barriers Compliance Board, 4
Audiology, 43

B

Behavior management, 17
Books. *See* Reference materials

C

Child Find program, 7
Civil-court action, 59
Classroom teacher. *See* Teacher
Collective bargaining, 52
Communication, 14, 28-30
Confidentiality, 62, 63
Consultation techniques, 28-30
Cooperation, 14
Counseling services, 43

D

Destruction of information, 46
Direct services, 52
Discrimination. *See*
Nondiscrimination
Due process, 6, 11, 56-60. *See also*
Procedural safeguards

E

Education for All Handicapped
Children Act of 1975. *See* Public
Law 94-142
Education for the Handicapped Act, 3
Education records, 46, 62-64
Evaluation/Placement procedures, 5,
9, 15, 45, 46, 57-59
Extracurricular activities, 47-48

F

FAPE. *See* Free Appropriate Public
Education
Films. *See* Reference materials
Free Appropriate Public Education,

(FAPE), 4, 41, 46-49. *See also*
Special education
Full Education Opportunity goal, 47
Funding, 6-7, 17, 48-49, 65

G

Gifted children, 18
Gifted and Talented Children's Act
of 1978, 18
Guidance counselor, 14

H

Handicapped child(ren), 3, 41
annual report on, 65
and Child Find program, 7
Congressional findings on, 3
due process for parents and,
6, 11, 56-60
early identification of, 43
and education records, 62-63
evaluation/placement of, 5, 47, 59
extracurricular activities for, 47-48
first and second priority, 48
and FAPE, 4
grants to pre-school, 65
and IEP, 5-6, 9, 11, 49-52
and LRE, 4-5, 13
and mainstreaming, 12-13
materials for use with, 71-72
physical education for, 14, 48
physical safety of, 12
in private schools, 52, 55-56
services for, 4, 15, 16, 47-48
severely/profoundly, 17
sources for information about,
19-28

Hearing aids, 47
Hearing officer, 57, 58
Hearings and reviews, 6, 57-59
"Hotlines"
for parents, 39-40
for special educators, 19-24

I

IEP. *See* Individualized Education
Program

Individualized Education Program

5-6, 46
accountability for success of, 11, 52
content and development of, 9-12,
13, 49-51
regulations for, 49-52
review and revision of, 51-52
services included in, 11-12, 15-16
team, 9, 10, 50

Information sources

on education for the handicapped,
19-24
for special educator, 24-28
See also Reference materials
In-service training, 6, 17, 53-54
reference materials, 73-76
Intermediate educational unit (IU), 42
Interpreter, 51

L

LEA. *See* Local educational agency
Learning disability, 18
Least Restrictive Environment (LRE),
4-5, 13, 61
reference materials, 76-79
Local educational agency (LEA), 42
applications, 46
and direct services, 52
and evaluation/placement
procedures, 60
and funding priorities, 48-49
and handicapped children in
private schools, 55-56
and IEP, 10
noncompliance by, 65-66
LRE. *See* Least Restrictive
Environment

M

Mainstreaming, 12-13
reference materials, 76-79
Medical services, 16, 43

N

Native language, 42
Nonacademic services, 47-48
Noncompliance, 65-66

INDEX

Nondiscrimination, 3, 60, 65
Nonhandicapped children
reference materials for, 79-82

O

Occupational therapy, 43
Overtime compensation, 14

P

Parental consent, 5, 11, 45, 57-58, 63
Parent(s) 42
counseling and training, 43
and due process, 11, 56, 60
and education records, 62-63
"hotlines" for, 39-40
and IEP development, 10-11, 50-51
and special educator, 16, 35
reference materials, 36-39
surrogate, 6, 59
Parochial schools. *See* Private schools
Participating agency, 46
Personally Identifiable Information (PII), 45.
See also Education records
Personnel development, 6, 17, 53-54
reference materials, 73-76
Physical education, 14, 45, 48
teacher, 14
Physical therapy, 43
Private schools, 51-52, 55-56
Procedural safeguards, 6, 56-64. *See also*
Due process
Program options, 47
Psychological services, 43-44
Public agency, 42
Public expense, 45
Public Law 94-142, 3-8
activities to implement, 19-40
effects on special educator of, 9-18

legislation prior to, 1-2
reference materials, 67-71
regulations, 41-66
required forms and activities
under, 16-17
sources for copies of, 8

Q

Qualified person, 42

R

Recreation, 44
Reevaluation, 60
Reference materials
handicapped children, 71-72, 79-82
in-service/personnel development, 73-76
mainstreaming/LRE, 76-79
nonhandicapped children, 79-82
parents, 36-39
Public Law 94-142, 67-68
service delivery, 68-71
vocational/career education, 72-73
See also Information sources
Referral procedures, 15
Related services, 4, 15-16, 42-43, 46, 55-56
Residential placement, 47
Resource room, 12
Role play, 29-30

S

Sanctions, 65-66
School district. *See* Local
educational agency
School health services, 44
School nurse, 14
School social work services, 44
SEA. *See* State educational agency

Segregation, 56
Social worker, 14
Special education, 7-8, 44, 46, 55.

See also Free Appropriate Public Education

Special educator
activities for, 19-40
and communication/consultation skills,
28-30
and due-process hearing, 12
effects of P.L. 94-142 on, 9-18
and funding, 17
"hotlines" for, 19-24
and IEP development, 10, 11
information sources for, 19-28
and LRE, 13-14
and parents, 16
and physical safety of child, 12
and service delivery, 12
and teacher communication/
cooperation, 14
and vocational/career education, 30-35
Speech pathology, 9-10, 44
State educational agency, 49, 52-54, 64-65
State(s), 45

T

Talented children, 18
Teacher, 13, 14, 15
Teacher aide, 15
Testing. *See* Evaluation/Placement procedures.
Transportation, 44

V

Vocational/career education, 30-35, 45
organizations and agencies, 33-35
reference materials, 31-33, 72-73
Vocational Rehabilitation Act of 1973,
3-4, 73